

THE POLITICS AND FUNCTIONING OF THE EAST BENGAL

LEGISLATURE, 1947 - 58.

by

NAJMA CHOWDHURY

Thesis presented for the Degree of Doctor  
of Philosophy, at the University of London.

May 1972.



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ABSTRACT

The Muslim League, the ruling party during 1947-54, had overwhelming majority in the legislature. The party unity, however, was somewhat artificially contrived as potential dissident leaders were apparently removed deliberately from the assembly and by-elections withheld following the defeat of ML candidate in 1949. Opposition to the League, projected by the latter as anti-Pakistani, continued to grow outside but had no means of being represented in the assembly which, consequently, did not adequately reflect the prevailing political complexion of the province. The official opposition in the assembly, the Pakistan National Congress, could not perform the role of a parliamentary opposition, primarily due to its political antecedents and the circumstances leading to independence in 1947.

The United Front, an election-alliance of opposition parties contesting the Muslim seats, utterly defeated the ML in 1954 election. But the Front lacked elements of unity and stability and soon disintegrated into component units. As no party was then able to command absolute majority, a process of fragmentation, weak political alliances and party loyalties became a regular feature resulting in indecisive majorities and unstable ministries, which in turn led to further worsening of the process. This acute fragmentation in the assembly which was primarily due to prospects of, and disagreements over, share of power and political offices contributed to the over-all political process of fragmentation.

Political parties during 1947-58 suffered from lack of organisational development. Mostly, the organisations remained structurally and functionally weak. Where a certain amount of development was attained, this did not however

appear to be a sustained process, and the organisation became dormant and came to be dominated by the governmental wing or suffered through leadership and factional struggles.

In the discharge of its functions during 1947-58 the performance of the legislature, though not impressive, was not entirely negligible and the government was subjected to some amount of accountability and control. The procedural rules, the performance of committees and the position of assembly secretariat reveal that the legislature did not have a strong institutional character. The dominance of the ML and the attitude of the government during 1947-54 did not allow the assembly to develop and assert itself. Fragmentation of parties, ministerial instabilities and the instances of suspension of parliamentary government during 1954-58 prevented the legislature from acquiring a strong and vigorous existence.

## PREFACE

Bangladesh, during 1947 - 58 as a province of Pakistan, was known first as East Bengal and then East Pakistan. Officially the name East Bengal continued until 1956 when under the new constitution the province was redesignated as East Pakistan. All official records, proceedings and acts of the legislature referred to the province as East Bengal until the constitution was promulgated in 1956. The name East Pakistan, however, began also to be used unofficially from an earlier time in newspapers and occasionally in debates in the assembly. The provincial branch of the Muslim League was designated as Eastern Pakistan or East Pakistan from the beginning, and the Awami League, formed in opposition to the League in 1949, adopted the designation of East Pakistan. The name East Bengal appears in the title of the thesis, and generally in the text where it has also been used interchangeably with East Pakistan.

The legislature of the province was known as the Legislative Assembly under the Govt. of India Act 1935 as amended by the Independence Act of 1947. Under the constitution of 1956 it was named the Provincial Assembly. It has generally been referred to in the thesis as the assembly. The terms 'MLAs' and 'MPAs' have been used interchangeably. In referring to the legislative wings of parties the most commonly used expressions have been adopted, e.g. the Muslim League parliamentary party, the Congress assembly party and so on.

A primary reason for the selection of the years 1947-58 as the period of study was that the years neatly fitted into two historical landmarks - 1947 as the year of independence

from British rule and 1958 as the year when the constitution was abrogated and martial law promulgated in Pakistan. The country was governed until the framing of a constitution in March 1956 under the Govt. of India Act 1935 as amended by the Independence Act 1947, which envisaged a parliamentary government. The constitution of 1956 adopted the parliamentary form of government. The years 1947 to 1958 represent the years of parliamentary experience. The constitution was abrogated in 1958 and a shift towards a presidential government initiated because of the alleged 'failure' of parliamentary government in Pakistan.

A legislature may be described as a sub-system of a political system.<sup>1</sup> The present study thus focuses attention on one sub-system - one area or part of a larger whole - in the political processes in East Bengal. Legislative studies could be variously conducted. For example, the legislature could be seen basically in terms of an 'input-output' model, - a study of how demands and interests are articulated and aggregated by political parties, pressure groups and other agencies, how and on what relationships they reach the legislative institution, the role of the institution itself in shaping or re-shaping them, and how and to what extent they are translated into policy decisions by the legislature. A related approach would have been a purely functional study of the legislature's business. A legislative study could also be 'legislator-oriented', - for

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1. See, Gabriel A. Almond and G. Bingham Powell Jr., Comparative Politics: A Developmental Approach (Boston: Little, Brown and Company, 1966), pp. 18-22; John C. Wahlke, et al, The Legislative System: Explorations in Legislative Behaviour (New York, London: John Wiley and Sons, Inc., 1962), p. 5.

example, an analysis of the legislators' political, educational, economic, occupational background etc., to attempt to correlate these with their party affiliations and performances in the legislature, and with the behaviour of the legislature itself. Another method would be to study the political processes in the legislature, mainly focusing on the role and inter-play of political parties within the assembly. The present study has adopted this last approach. In doing so, attention has been mainly focussed on the behaviour of parties within the legislature; the organisation and activity of parties outside the legislature has been considered to the extent that they relate to the political processes in the assembly. A discussion of the various functions of the legislature has also been included in the study.

When writing on a period of the distant past, a writer is relatively well-placed to assess the characters as their roles have been fully played. In purely contemporary studies, the characters are sketched as they are being played. But when making a study of what may be called a relatively contemporary period which is also of limited time duration and does not come up to the present time (as in the present study), there is the special danger of projecting on to, say, the 1947-58 period the characters and roles of political actors as they have evolved and developed through the post-1958 period. Care has been taken to guard against this danger, but in consequence it has to be recognised that in the case of many of our actors the story told here has to stop before their performance on the political stage has been completed.

The basic source materials for the research comprised official reports of the proceedings of the House and newspapers. These were supplemented by available publications of the govern-

ment, the assembly and the political parties and by records of the assembly secretariat. Some informations on biographical data of members of the legislature during the period were obtained through a prepared set of questionnaires. No differentiation or selection was made and the questionnaires were sent to all members known to be living, at their addresses as recorded at the time except in some few cases where their more recent addresses were known. Interviews were conducted with persons connected with the functioning of the legislature during the period - selected politicians and members and staff of the assembly secretariat residing in Dacca (except two members in a neighbouring district headquarter). Apart from some newspaper in English, the materials were collected at Dacca in two stages, in 1967 before the study was begun and in 1969 after some preliminary study had been made.

In making this study I incurred many debts of gratitude.

It was a privilege and a very rewarding experience to have worked under the supervision of Professor W.H. Morris-Jones, Director, Institute of Commonwealth Studies, University of London. Without his guidance there would have been many imperfections in the style and treatment of this work. To a very large extent, this work has been possible because of his constant encouragement and unlimited patience.

A Scholarship for three years from the Commonwealth Scholarship Commission in the United Kingdom and study leave granted by the University of Dacca enabled me to undertake the study. It was also made possible by a long leave granted to my husband by A. A. Kahlon of (then) the Pakbay Co.

My debts are also to I.K. Orchardson, Registrar, School of Oriental and African Studies, University of London, E.E. Temple, Joint Secretary, Commonwealth Scholarship Commission in the United Kingdom, the staff of the library of the Institute of Commonwealth Studies and the British Museum Newspaper Library, and Miss Kirsteen McGlashen and Miss Gwenda M. Hoare at the Registrar's office of the School of Oriental and African Studies. I am also indebted to the Central Research Fund of the University of London.

I would like to thank Miss Margaret Beard and Mrs. Anne Barnes of the Institute of Commonwealth Studies for their help in preparing the thesis and for their friendship which helped in the occasional periods of despondency that research students sometimes feel.

I would like to express my gratitude to Dr. M. Rashiduzzaman, Gholam Rahman, Syed Mesbahuddin Husain, Dr. Najmul Abedin, Syed Shamin Ahsan, Nurul Qader Khan and Faruquzzaman Zahedi for their help in collecting materials for my research. Without their help it would have been very difficult to obtain some of the materials.

I am also deeply grateful to the politicians and members and staff of the legislature during 1947-58 who granted me interviews in August 1967 and March-April 1969 and their contributions have been duly acknowledged in the thesis. But I would like to mention specially here the valuable help of Abul Mansur Ahmad, Bhabesh Chandra Nandy, Syed Azizul Huq, Nurul Amin, Azad Ali, Rasaraj Mondal, Monoranjan Dhar and also of Sheikh Mujibur Rahman.

I am indebted to Kamran R. Chowdhury for his kind help.

My debts to my parents, to Saad, Nishat and Sanin are immeasurable. I am indebted to them for the care and affection with which they have looked after our child Lamiya while we have been in London. My parents and particularly Nishat were of immense help in collecting and collating some materials at Dacca.

To Mainur I remain indebted for enabling me to accept this opportunity of working for a higher degree. I could not have undertaken this work without his presence in London and his constant encouragement.



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## LIST OF ABBREVIATIONS

AIML	All-India Muslim League.
AL	Awami League, East Pakistan Awami League.
AML	Awami Muslim League.
<u>Alphabetical List</u>	<u>Alphabetical List of Members of the East Bengal Legislative Assembly.</u>
<u>BLCP</u>	<u>Proceedings of the Bengal Legislative Council.</u>
BML	Bengal Provincial Muslim League.
<u>CAPD</u>	<u>Constituent Assembly of Pakistan Debates.</u>
<u>Code</u>	<u>East Pakistan Code.</u>
<u>Directory</u>	<u>Directory of the Provincial Assembly, East Pakistan.</u>
<u>Draft Rules</u>	<u>Report of the Committee . . . to draft Rules regarding the procedure and conduct of business of the Assembly under . . . the Constitution of the Islamic Republic of Pakistan.</u>
<u>EBLAP</u>	<u>East Bengal Legislative Assembly Proceedings.</u>
EPAL	East Pakistan Awami League.
<u>EPAP</u>	<u>East Pakistan Assembly Proceedings.</u>
EPML, EPMLPP	East Pakistan Provincial Muslim League, East Pakistan Provincial Muslim League Parliament-ary Party.
G.Dal	Ganatantri Dal.
INC	Indian National Congress.
IUML	Indian Union Muslim League.
KPP	Krishak Proja Party.
KSP	Krishak Sramik Party.

ML	Muslim League.
MUF	Minorities United Front.
NAP	National Awami Party.
NIP	Nizam-i-Islam Party.
PAC	Public Accounts Committee.
<u>PCLGB</u>	<u>Proceedings of the Council of the Lieutenant-Governor of Bengal.</u>
PML	Pakistan Muslim League.
PNC	Pakistan National Congress.
<u>Procedure Rules</u>	<u>East Bengal Legislative Assembly Procedure Rules.</u>
SCT	Scheduled Caste Federation.
UF, UFPF	United Front, United Front Parliamentary Party.
UPP	United Progressive Party.

## CHAPTER I

### INSTITUTIONAL ORGANISATION

#### 1. Composition.

##### I Membership

During 1947 to 1958, there were two legislative assemblies in East Bengal. The first assembly, constituted at the time of independence in 1947, continued for nearly seven years up to March 1954. The second assembly elected in March 1954, was dissolved four and a half years later in October 1958 when martial law was promulgated in Pakistan.

The first assembly (1947-54) had a membership of 171. One hundred and forty-one of these seats were from constituencies of the undivided Bengal assembly and thirty from constituencies of the Assam assembly in the district of Sylhet, with certain re-demarcation and delimitation of constituencies in some bordering areas as a result of partition. The legislative assemblies of undivided Bengal and of Assam had been elected in 1946. At the time of independence in August 1947, members of the Bengal legislative assembly with constituencies in East Bengal and those of the Assam legislative assembly with constituencies in the district of Sylhet came to be members of the legislative assembly of East Bengal in Pakistan.<sup>1</sup> Members represented separate communal and special constituencies.

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1. For a brief survey of the evolution of legislature in Bengal from 1861 to 1947, see Appendix I.

Table 1.

Constituency-wise composition of assembly, 1947-54.

Constituencies	East Bengal - from pre- independence BLA (2)	Sylhet - from pre- independence ALA (3)	Total Seats EBLA (4)
(1)			
1. Muslim	98	18	116
2. a. General	20	8	28
b. Reserved for Scheduled Castes	15	3	18
3. Christian	1	0	1
4. Landholders	3	0	3
5. University	1	0	1
6. Labour and Plantation	3	1	4
TOTAL	141	30	171

(Note: General electorates included all except those granted separate electorates. The Hindus constituted the bulk of the population of General constituencies, from which a certain number of seats were reserved for the Scheduled Castes. The following were Labour and Plantation constituencies, - Railway Trade Union, Water Transport Trade Union, East Bengal Planting, Labour Srimangal (Sylhet). Both Muslim and General constituencies had 1 seat reserved for women. Another lady member was elected from a general constituency, thus making the total of 3.)

The House, however, never met in total strength. At the commencement of the first session of the assembly held in March-April 1948, there were 9 vacant seats. In August - September 1953, when the assembly met for the last session before

dissolution, the number of vacant seats had risen to 34.<sup>1</sup>

Table 2.

Number of sitting members in March 1948 and August 1953.

Constituencies (1)	Total Number of Seats (2)	Actual Sitting Members	
		March 1948 (3)	August 1953 (4)
1. Muslim	116	115	98
2. a. General	28	26	21
b. Reserved for Scheduled Castes	18	14	16
3. Christian	1	1	1
4. Landholders	3	3	0
5. University	1	0	0
6. Labour and Plantation.	4	3	1
TOTAL	171	162	137

(Note: In March 1948, another seat in the General constituencies could in fact be taken as vacant, as Kiron Shankar Roy, member of Congress assembly party in East Bengal, accepted office in the West Bengal cabinet on March 4, and did not take his seat in the East Bengal assembly which commenced its first session on March 15. The differences between columns (3) and (4) would tend to suggest that no by-election was held during this period except in constituencies 2.b. In fact, however, some by-elections took place in constituencies 1, 2.a., 2.b., and in 5 in course of only the first couple of years. For detail discussion on by-election and the attitude of the ruling party the Muslim League, see pp. 90-95 below.)

1. The above figures are based on list of members at the start of sessions in East Bengal Legislative Assembly Proceedings (EBLAP), vols. I and XI.



The constituency composition of the assembly does not wholly reflect the actual communal composition because the special constituencies mostly returned Hindu members. For example, the incumbents of the 3 landholders and 3 of the 4 labour and plantation constituencies were Hindus.

The Government of India (Third Amendment) Act 1952 introduced adult franchise in the province, re-adjusted the number of seats in the assembly, abolished the special constituencies and extended the principle of separate electorate to grant separate representations to the Scheduled Castes and the Buddhists.<sup>1</sup> The second assembly (1954-58) accordingly was an enlarged House of 309 members, elected in March 1954 on the basis of universal adult franchise and separate electorate.

Table 3.

Constituency-wise composition of Assembly, 1954-58.

Constituencies (1)	Number of Seats (2)
1. Muslim	237
2. General	31
3. Scheduled Caste	38
4. Christian	1
5. Buddhist	2
Total	309

1. See, Constituent Assembly of Pakistan Debates (CAPD), vol. XI, no. 3, Apr. 10-19, 1952. There was considerable political controversy regarding separate electorate for the Scheduled Castes. Briefly, the Muslim League was in favour, the Pakistan National Congress opposed and the Scheduled Caste Federation practically split on the issue; the Caste Hindus against the move and the Scheduled Castes divided amongst themselves. For a fuller discussion, see pp. 162-73 below.

(Note: General constituencies overwhelmingly comprised of Caste Hindu population. For example, according to the 1951 Census, of the total population of 42,27,982 under this category, all except about 30 thousand were Caste Hindus. (See, CAPD, footnote p.4). There was a certain anomaly in that while before independence the General seats designated those held by the majority community in India, namely the Hindus, after independence the same designation continued for what in fact became a minority community in Pakistan. There were 12 women members, all elected in reserved seats (M-9, G-1, S-2). )

Comparatively, the second assembly had a fuller sitting membership than the first. When it met for the first session on August 5, 1955, there were 304 sitting members. By the time the last session drew to a close in September 1958, the sitting strength was 305 members.<sup>1</sup>

## II Political composition : a brief outline.

Political processes in the two assemblies presented fundamentally dissimilar features. In the first assembly, the Muslim League enjoyed the monopoly of power. The party, initially embracing almost the entire Muslim membership of the House, remained in office from 1947 to 1954 without any shift of leadership. It lost the support of a few members over the years, but these instances of disaffections did not weaken the overall party position of monopoly. The League solicited and enjoyed the willing support of the Scheduled Caste Federation in the assembly. The SCF support was practically inconsequential to the League with regard to numerical strength for it

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1. See, EBLAP, vol. XII. Proceedings of the September session were never published. Directory of the Provincial Assembly, East Pakistan (Directory) May 1958, noted 2 vacant seats. Two more members died in September 1958. See Dawn (Karachi), Sep. 20-24, 1958.

possessed an overwhelming majority in the House. But the support gave the Muslim League government a political composition broader than the exclusive community-base from which it drew its membership. The SCF split into factions subsequently and fell into considerable disarray. The Pakistan National Congress, the party in opposition, consisted of Caste Hindu and some Scheduled Caste members. While there arose a difference of opinion among members of the Congress in East Bengal shortly after independence with regard to the future of the party in the changed circumstances of independence and a section left to form a separate party, they presented a united front in the assembly under the banner of the PNC. The essence of traditional parliamentary pattern was, to some extent, lacking, because the parties in government and opposition, the ML and the PNC, did not basically reflect a purely political division which could be subject to change and alterations, but a communal division into rigid and unalterable majority and minority. The composition and the realities of party system in the first assembly resulted in politics of monopoly by the Muslim League.<sup>1</sup>

The second assembly outwardly began with a similar pattern of party composition in that the United Front party won an overwhelming proportion of Muslim seats, about 223 out of a total of 237.<sup>2</sup> But the Front was an election alliance, its unity delicately preserved through the electioneering and helped

- 
1. Chapter II is devoted to a discussion of politics in the first assembly.
  2. This including the independents who joined the Front after the election results were announced. Of the component parties of the UF, the Awami Muslim League and the Krishak Sramik Party could be described as the major, and the Nizam-i-Islam Party and Ganatantri Dal as minor partners in the Front.

by the heat of anti-Muslim League feelings. In power, the unity broke down apparently over distribution of office and the Front gradually disintegrated. The first signs of cracks in the UF party were signals for coalition governments. The minority seats were divided into a number of parties - the PNC, the SCF and the United Progressive Party were numerically and politically the more important among them. The UF and these minority parties were not precluded from co-operation within the assembly because in the electoral field they had been on the same side of the fence as it were, in opposition to the ruling Muslim League.<sup>1</sup> The disunity and disintegration of the Front necessitated coalition politics; the political antecedents and divided representation of minority seats facilitated the coalitions. Coalitional politics and weak party organisations resulted in fragmentation in the ranks of the parties. The pattern was one of multi-party and multi-factional politics and unstable governments.<sup>2</sup>

## 2. Sessions : proceedings and features.<sup>3</sup>

### I. Sessions.

The Governor summoned the assembly for sessions under

1. The faction of the SCF which was in opposition to the ruling party, won in the election.
2. For discussion on politics of the second assembly, see Chapter IV.
3. The present thesis is only concerned with sessions when the assembly met as legislature. During the period, it also functioned as electoral college for members of the Constituent Assembly from the province. Meetings of the assembly in its electoral capacity were not recorded in the official proceedings nor were they conducted under the procedural rules of the East Bengal assembly.

However, some facts may be briefly noted here. Members of the East Bengal assembly elected representatives to the Constituent Assembly in July 1947; the Muslim seats were not contested. (Statesman (Calcutta), July 6, 1947). In June 1955, the assembly elected members to the second Constituent Assembly. (Dawn, June 23, 1955). During March 1948 to

the constitution, indicating the time and place of meeting.<sup>1</sup> In practice, the assembly was summoned by the Governor on the advice of the chief minister. There were generally two sessions in a year<sup>2</sup> - once during February-April (late winter and spring) primarily for passing budget for the financial year commencing in April, and again in October-November (autumn and early winter), which was mainly devoted to legislative business. There were some variations, however. In 1948, a brief session was held in June; there was no autumn session as the assembly building was placed under constructional works.<sup>3</sup> In 1949, the House assembled in

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June 1954, there were 15 by-elections (some uncontested) and from August 1955 to May 1958, 3 by-elections to the Constituent Assembly from the province. (Figures for by-elections are based on Alphabetical List of Members of the East Bengal Legislative Assembly (Alphabetical List), 1948-55 and Directory, 1956-58 which also contained lists of members elected by the assembly to the central legislature).

1. East Bengal Legislative Assembly Procedure Rules (Procedure Rules). See Rule 2. The summons order as published in the Dacca Gazette Extraordinary of May 5, 1956 indicated that the East Pakistan Legislative Assembly had been summoned to meet at 3p.m. on Tuesday, May 22, 1956 in the Legislative Chamber in the Legislative building, Ramna, Dacca. Speaker's attention was drawn by the opposition to the fact that under the constitution which came in force in March 1956, the correct nomenclatures were 'East Pakistan Assembly' and 'Assembly House'. It was contended that the summons therefore was not valid. The Speaker admitted that there had been a mistake, advised that the government should be more careful, but ruled that there was no reason for the session not to proceed, because 'we have assembled at the right place'. East Pakistan Assembly Proceedings (EPAP), vol. XIII, pp. 3-12.
2. Under the Government of India Act, 1935 as adapted by the Pakistan (Provisional Constitution) Order, 1947, the assembly was to be summoned to meet at least once in a year, twelve months not intervening between two sessions. The Constitution of the Islamic Republic of Pakistan 1956 laid down that there were to be at least two sessions in a year and the intervening period between two sessions was to be less than six months.
3. EBLAP, vol. III, no. 1, p. 82.

November for the winter session with the important State Acquisition and Tenancy Bill, among others, on the agenda, adjourned on December 19 till February 6, 1950 when after

Table 4.

Days and hours of sitting, attendance of members during sessions of the Assembly, 1947-54.

Sessions	Periods	Days of Sittings	Hours of Sittings - Sessional Average	Attendance of Members - Sessional Average
(1)	(2)	(3)	(4)	(5)
I	Mar. 15 - Apr.10,1948	22	3hrs.30min.	142
II	June 7-14, 1948	6	2 " 30 "	123
III	Mar.11-Apr.11, 1949	25	4 " 00 "	129
IV	Nov.14,1949-Mar.13, 1950	52	2 " 45 "	116
V	Feb. 15 - Mar.13,1951	22	4 " 00 "	116
VI	Oct.17 - Nov.12,1951	19	3 " 00 "	109
VII	Feb.20-24, 1952	3	2 " 45 "	87
VIII	Mar. 24-28, 1952	5	4 " 15 "	111
IX	Oct.6-Nov.1, 1952	20	2 " 45 "	101
X	Feb.25-Apr.4, 1953	24	3 " 15 "	94
XI	Aug.25-Sept.16,1953	18	3 " 00 "	107
11	TOTAL	216	3 " 15 "	112

(Note: Column (4) in the Table gives the minutes in nearest quarter hours, is based on the hours of daily meetings and adjournments as noted in the official proceedings and does not take into account brief adjournments, mainly for prayers, during daily sittings. Figures in Column (5) do not include the Speaker.)



concluding the passage of the Tenancy and certain other bills and with another adjournment of eight days, proceeded as in a budget session. There was no further session in 1950. In 1952, the House was suddenly prorogued before general discussion on the budget could begin, in the background of the mounting political tension resulting from police firing on February 21. It was summoned again in March when it met for five days and passed the budget. The last session of the first assembly in 1953 was held earlier than usual, in August-September, after which members plunged into the final preparations for election scheduled for the beginning of 1954.

The sessional patterns of the second assembly were more varied and irregular due to the uncertainties of political developments and party alignments of the period. Before the newly elected assembly could meet for a session, parliamentary government was suspended in the province in May 1954. After the lifting of Governor's rule in June 1955, the assembly met for the first time on August 5 to elect the Speaker and deputy Speaker. The newly formed UF coalition government lacked elements of stable majority and the assembly was not called again until May 22, 1956 inspite of some persistent demands for earlier meetings from the opposition.<sup>1</sup> The session, intended for passing the budget, again in fact lasted for a day. The Speaker upheld the opposition point of order that the presentation of the budget so late in the year and the limited time allotted for passing it went beyond the bounds of constitutional propriety, and refused permission to the finance minister to present the budget. The assembly was adjourned sine die and subsequently

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1. For example, see Dawn, Oct, 8, 26, Nov. 8 (letter to the editor), Dec. 13, 1955, Feb. 28, 1956.

Table 5

Days and hours of sitting, attendance of members during sessions of the assembly, 1954-58.

Sessions (1)	Periods (2)	Days of Sittings (3)	Hours of Sittings- Sessional Average (4)	Attendance of Members- Sessional Average (5)
I	Aug. 5, 1955	1	8hrs. 15min.	288
II	May 22-24, 1956	1	7 " 15 "	293
III	Aug. 13, 1956	1	0 " 15 "	236
IV	Sep. 17-Oct. 2, 1956	16	5 " 30 "	268
V	Mar. 11-Apr. 3, 1957	22	6 " 00 "	265
VI	Sep. 21-28, 1957	6	5 " 30 "	282
VII	Mar. 13-Apr. 1, 1958	18	4 " 15 "	272
VIII	Apr. 3-5, 1958	2	1 " 30 "	276
IX	June 12-25, 1958	11	2 " 45 "	284
9	TOTAL	78	4 " 30 "	274

(Note: Another session was held during Sep. 20-25, 1958, and the assembly met on five days; added to column (3) in the Table, it would make a total of 83 days of sitting. The session was marked by extreme irregularities and on 2 days it adjourned without practically any transaction of business. No official proceedings of this session were published and complete data for columns (4) and (5) of the Table, are not available. Also see the note for Table 4 in p.9.)

prorogued on May 24. On August 13, as members assembled in the chamber the Speaker read out the prorogation order issued earlier in the day. The government's decision not to allow the assembly



to meet after it had been called for session was due to serious doubts as to its majority. Shortly afterwards, the Awami League came to office in a coalition with a fairly substantial strength. The assembly had a regular session for the first time in September 1956. The budget and autumn sessions in 1957 were also held with regularity. But by the beginning of 1958, the government's position was greatly undermined due to increasing fragmentation and some new party alignments. This was reflected in the sessional patterns during the year. During the budget session, on March 31, the Governor dismissed the cabinet, maintaining that it had practically lost confidence of the House. But the prorogation of the assembly on April 1, on the advice of the newly appointed chief minister, indicated that a majority was indeed not assured for the new government. However, back to power on the same day, the AL coalition summoned the assembly on April 3 and prorogued on April 5 after obtaining a vote of confidence. The session was called again in June to conclude the budget discussions. That the party alignments still remained fluid and undecided was proved by the fact that within a matter of five days, two consecutive governments suffered defeat on the floor. Obviously, no party government could continue and the assembly was prorogued. Parliamentary government remained suspended for two months. In September the AL coalition, again in power without a decisive and safe majority, faced the assembly - successfully in that it was able to pass the budget, but in methods that could be described as dubious and dishonourable - methods in which the opposition's contribution was also abundant.<sup>1</sup>

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1. See, pp.296-301 below for an analysis of their respective roles and that of the various parties.

It would appear that though a firm practice of regularity in sessions was not solidly established, the first assembly was not altogether neglected by the government. What seriously undermined the institutional status of the legislature during the period was the unrepresentative character which it gradually assumed because of the number of accumulated vacant seats as a result of the League government's attitude towards by-elections.<sup>1</sup> The uncertain sessional patterns of the second legislature also indicated that the institutional position was not secure. Commenting on the attitude of the UF coalition government (June 1955 - August 1956), the Speaker maintained that the 'Legislature was being by-passed and was thus reduced to a farce' and thought that the government seemed to 'ridicule the Legislature'.<sup>2</sup> While the AL coalition government brought a sense of sanctity to the institution by holding the by-elections (it could be said that the UF coalition government was following the footsteps of its predecessor in this) and calling for regular sessions, the weakening of party discipline for which the government itself was partly responsible and the over-all party positions again practically reduced the legislative sessions into farce. However, no doubt this could also be looked at from a different angle of vision. It could be argued that because of its political composition, the assembly during the Muslim League rule was not the seat of political power (meant in the strictly limited sense of the government's accountability to the legislature and the latter's capacity to make and unmake governments). This power then rested outside the assembly, in the Muslim League party and in the latter's equations with the

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1. See, pp. 2-3 above, and pp.90-95 below.

2. EPAP, vol. XIII, p. 64.

national party and government leadership. Therefore, the assembly could be called into sessions by the government with regularity without any risk. It was precisely because the one-party monopoly was broken that the second assembly truly became the maker of governments. But the one-party monopoly was replaced by multi-party factionalism which was characterised by a profound lack of political discipline and increasing fragmentation. The assembly floor became the centre of manoeuvring and manipulation for obtaining majorities, and hence the irregular and disorderly sessions.

The sessions generally began with recitation of verses from the Holy Quran. Towards the end of the second assembly however, this appeared to have become a daily practice. At the start of a session, the Speaker made obituary references and moved for resolutions or messages for condolences, if necessary. Newly elected members took their oath.<sup>1</sup> The Speaker constituted the Panel of Chairmen and announced his nominations for House Committee, and at the commencement of first session in each financial year, also those for the Committee on Petitions. Ordinances promulgated during prorogation were laid before the House by the respective ministers. The procedures however were not uniform at this stage. Question Hours were also at times held after the Speaker constituted the Panel of Chairmen and the Committees. Also, ministers moved for introduction of bills.

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1. There were obituaries for members of the assembly who had died during prorogation, national leaders and important politicians (e.g. Jinnah, Liaquat Ali Khan, Sardar Abdur Rab Nishtar, Dr. Khan Sahib), foreign national and political figures (e.g. Gandhi, King George VI, Stalin, Sorojini Naidu, Abul Kalam Azad). Of course obituary references were also made during sessions upon the death of members and such others as indicated above. In very important cases, the day's session was adjourned after the obituary references, as a mark of respect.

Newly elected members also took their oath at other times during the sessions if they failed to do so at the start or if the by-election results were published while the sessions were in progress.

The sessions progressed according to the agenda prepared by the government and printed and circulated to members beforehand by the assembly secretariat.<sup>1</sup> The agenda of course could be changed when necessary, as the chief minister pointed out when some opposition members protested at a change of programme.

Initially the programme is prepared and certain items are included in that programme and this programme goes on changing with the progress of business in the House ....we do not know which bill will take what time on a particular day. So we have got to change this agenda from time to time but in any case members get timely notice of any change that takes place in the agenda. 2

All unfinished items during a session and all notices lapsed with prorogation except questions and bills which had been introduced.<sup>3</sup> The sessions were prorogued by the Speaker on receipt of command for prorogation from the Governor. In practice, the Governor issued prorogation orders on the advice

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1. Programme for sessions came from the Home (Constitution and Election) Department on behalf of the government, fixing the number of official and non-official days and the legislations which were to be taken up, and the agenda were accordingly prepared and printed. No consultation with the opposition was necessary at this stage. Informal consultations took place between whips on day-to-day business of the House, whereupon the orders of the day (in other words, list of business or agenda for the day) were prepared. - This is based on interview of the present writer, with S.A.E.Hussain, Secretary of the East Bengal Legislative Assembly from 1947 to 1954, during April, 1969. An agenda or programme for a session (as it happened in this particular case, greater part of a session) circulated to members beforehand is appended. See, Appendix II.
  2. EBLAP, vol. V, no. 2, p. 36.
  3. Procedure Rules, Rule 19. To meet the budget crisis in 1958, when the budget session was prorogued after an on-account grant only was voted, procedural rules were amended to provide for continuing discussion of the budget during the following session. On point of order raised when the assembly met in June, the deputy speaker (in the absence of Speaker) ruled that budget presented in one session could be passed in another subject to the relevant provisions of the Rules. See EPAP, vol. XX, pp. 94-113.

of the chief minister.<sup>1</sup> Unless suddenly or hurriedly prorogued, the sessions were ended with speeches of felicitations from the Speaker, leader of the House and of Opposition.

The sessional average of hours of sitting for the first assembly<sup>2</sup> was more or less uniform with some tendency for slightly longer sittings during budget sessions, the over-all average being about 3 hours 15 minutes. The over-all average for the second assembly<sup>3</sup> was about 4 hours 30 minutes. This average would have been higher but for the sessions in August 1956 and April and June 1958. On several days during these sessions the assembly was adjourned without any transaction of business, due particularly to political developments resulting in threat to or upsetting of governments. On the whole, the second assembly which had shorter and irregular sessions met for longer hours. Apart from the fact that the second assembly was a larger House and consequently required more time to provide for participation, the emphasis on the part of government was on shorter sessions with longer hours to minimise the scope for fresh political alignments while in session. This would also seem to be supported by the fact that the second assembly had far fewer holidays while in session than the first.<sup>4</sup>

1. In one instance the assembly was prorogued during adjournment (Session VII, Table 4 above), two instances when the assembly was first adjourned sine die and subsequently prorogued (Session X, Table 4 and Session II, Table 5), once the prorogation order was issued before the assembly had a chance to sit (Session III, Table 5), on three occasions the assembly was prorogued at the start of the days' sittings before any transaction of business (Sessions VII, VIII, IX, Table 5).
2. See p.9, Table 4, column (4).
3. See p. 11, Table 5, column (4).
4. During sessions, from the date of the first sitting till prorogation or the adjournment preceding prorogation as the case might be, the first assembly had regular weekly holidays on Sundays occasionally along with Saturdays, as well as other holidays, totalling 56 days (this excluding the long adjournment from December 1949 to February 1950 and another 8 days adjournment in February 1950 during fourth session, and a week-long adjournment in March 1953 during the tenth session). On the other hand, in the second assembly there were practically no regular weekly holidays and members had only 10 holi-

## II. Daily sittings.

Under the Procedure Rules, while in session the assembly, subject to the direction of the Speaker, was to ordinarily meet at 3:30p.m.<sup>1</sup> The first assembly mostly, i.e. on a total of 171 days, met between 3p.m. to 4p.m.<sup>2</sup> On other days the session began at other times in the afternoon between 2p.m. and 5p.m. Only on two days it met at morning hours. The time of meeting, however, was more irregular during the second assembly. On 42 days the assembly met between 3p.m. and 4p.m.<sup>3</sup> On 16 occasions the day's sittings began at 9 or 9.30 in the morning, on four of these again to meet in the afternoon. It met in morning hours on five other days, between 10 and 11. On rest of the occasions, the daily sittings commenced at various times from 1p.m. to 2.30 p.m. or 5 p.m. to 6.45p.m.<sup>4</sup>

The Speaker could adjourn meetings of the assembly at any time.<sup>5</sup> Ordinarily, however, this depended on the progress of order of business for the day, the feel of the House, suggestions from chief whips, leader of the House or Opposition. The discretionary power of the Speaker to adjourn was exercised practically as a matter of routine without any political undertones. But in the second assembly when there arose a situation of uncertainties of alignments and the Speaker himself came to be regarded as partisan, the exercise of this power assumed political implications. The procedural rule was amended in

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days in all during sessions. The session of September 1958 is not taken into account.

1. Rule 3(1).
2. On 81 days it met at 3p.m., 1 day at 3.15p.m., 67 days at 3.30p.m. and 22 days at 4p.m.
3. On 26 days at 3p.m., 5 days at 3.30p.m., 11 days at 4p.m.
4. The September 1958 session is not taken into account.
5. Procedure Rules. Rule 3(2).



March 1958 to provide that the Speaker could adjourn only with the concurrence of the chief minister.<sup>1</sup>

The daily sessions began with Question Hour. Adjournment motions could be moved after the Question Hour was over and before the list of business for the day was entered upon. This was also the time when members took opportunity to raise matters not included in the list of business through points of order, privilege etc. The proceedings otherwise progressed according to the day's agenda<sup>2</sup> - with regularity in the first but frequent interruptions and irregularities in the second assembly. Any business not transacted on the appointed day as determined on the agenda, was carried over to the next day available for the class of business to which it belonged. The time-table of course was heavily occupied by government business, i.e. legislation and budget. During budget sessions, general discussion of budget and demands for voting of grants were given priority. The government could also move motions on particular matters. Fridays during sessions were allocated for private members' business.<sup>3</sup>

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1. See Azad (Dacca), Mar. 8, 1958.

2. The daily agenda were fixed by the Speaker after mutual consultations between the government and the opposition at leaders' or whips' levels. But the opposition apparently felt that in fact it had only a minor role in the matter and that adequate consultation was lacking. - The above impression is based on interviews of the present writer in April 1969 with the following members of legislature (the period of their membership and their party indicated alongside): Nurul Amin (1947-54, ML chief minister 1948-54), Monoranjan Dhar (1947-58, PNC secretary), Sheikh Mujibur Rahman (1954-58, general secretary EPAL), Abul Mansur Ahmad (1954-58, EPAL), M. Korban Ali (1954-58, whip EPAL), Syed Azizul Huq and Abdus Salam (1954-58, KSP), Bhabesh Chandra Nandy (1957-58, PNC), Rasaraj Mondal (1954-58, SCF). Under the Procedure Rules, business not included in the days' agenda could only be transacted with the leave of the Speaker. Rule 21.

3. The above is only a brief procedural outline. For full discussions on questions, adjournment motions, legislation, budgets and private members' days, see Chapter V.

### III Attendance.

Under the Procedure Rules, members who were unable to attend meetings of the assembly for a period of 60 days, computed as in the manner prescribed, had to apply for permission to be absent. The assembly considered such application ordinarily without any discussion and in such manner as determined by the Speaker, and the decision of the assembly was intimated to the member concerned. If a member was absent without permission from all meetings of the assembly for a period of 60 days or more, any member could move that such member's seat should be declared vacant. No such motion was admitted for discussion if the Speaker was satisfied that the statement accompanying the motion and showing the dates on which the member concerned was absent, was inaccurate.<sup>1</sup>

There is only one instance when leave was refused to a member and his seat declared vacant by the assembly. Motion for leave of absence moved in March 1951 by the PNC chief whip for Rabindra Nath Aditya was objected to by members from the League and lost on a division. It was contended that the member (whose financial interests fell on two sides of the border by the line demarcating the district of Sylhet for inclusion in East Bengal and who was ordinarily resident on the Indian side of the border) was unable to furnish any cogent reason for his absence. There were also suggestions of disloyalties to the state. At the same time, however, the assembly granted leave of absence to another PNC member, Satindra Nath Sen (who was in prison under the Special Powers Ordinance). A few days later, Aditya's seat was declared vacant by the assembly on a motion moved by the ML Chief whip.<sup>2</sup> Earlier, in November 1949,

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1. Rule 7.

2. EBLAP, vol. V, no.2, pp. 51-7, 281-95.



a similar motion from the ML Chief whip against Shitangshu Kanta Acharjee (representing Dacca landholders constituency, ordinarily resident in Calcutta) was admitted for moving on the floor on the first day of session. It was, however, decided not to move the motion as the member was found to be present on that occasion.<sup>1</sup> Leave of absence was granted to several members in the first assembly;<sup>2</sup> in the second, there was no occasion.

Members attending meetings of the assembly had to sign an attendance register every day.<sup>3</sup> The practice was once discontinued in 1958. On suggestion from a member, the Speaker somewhat whimsically, it would appear, broke what was an established practice without serious thoughts as to its consequences or alternatives,

This will discontinue. It is a disgrace that honourable members of this House should sign the attendance roll everyday. (Cries of hear, hear.)<sup>4</sup>

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1. EBLAP, vol. IV, no.1, pp. 23,78.

2. Leave of absence was granted again to Acharjee in March 1951, to Munawwar Ali (ML) in November 1951, Khairat Hossain (ML dissident, later AL group), Abdur Rashid Tarkabagish (ML turned critic, later AL group), Satindra Nath Sen (PNC), Monoranjan Dhar (PNC), Gobinda Lal Banerjee (PNC) during 1953. The last five were held under Public Safety Ordinance following the language disturbance of February 1952. See, ibid., vol. V, no. 2, p. 395; vol. VI, no.2, p.302; vol.VIII, p.9; vol. X, no.2, pp. 240-1; vol.XI, no.2, p. 53.

3. Records of daily proceedings were headed by the number of members and ministers present, in the Official Reports, i.e. EBLAP and EPAP. There was no hourly count. Hence it is difficult to know the variations in actual attendance figures in the course of a day. Interviews suggest that attendance tended to be fuller at the Question Hour, during adjournment motions, important statements etc. and certain stages of budget discussions and important legislations. For list of those interviewed, see p. 18, footnote 1 above.

4. EPAP, vol. XVIII, no. 1, p. 92.

However, the practice was restored within a few days at the request of the chief minister who pointed out that an attendance register served two purposes, namely, the different parties could be sure of the presence of their members and that the record was helpful to the office with regard to members' travelling allowances etc.<sup>1</sup> The assembly of course could not proceed with its deliberations unless there was a quorum in the chamber. On the rare occasions when the House lacked a quorum, the sitting was adjourned briefly or the bells rung for members to gather in the chamber from the lobbies or elsewhere in the assembly premises.<sup>2</sup>

### 3. The assembly building and chamber.

At the time of independence in 1947 Dacca was without a legislative building. 'A temporary shelter, consisting of a room and half of a shed in the Eden Building, was all the space in which the East Bengal Legislative Assembly and its office commenced to function'.<sup>3</sup> A part of Jagannath Hall, a university hall of residence was subsequently selected as the legislative building.<sup>4</sup> The assembly was thus situated practically in the

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1. Ibid., vol. XVIII, no. 3, p. 3. Also, for example, see EBLAP, vol. IV, no. 6, p. 115.

2. It was the whips' duty to see that quorum was maintained, as also to gather the respective party strength for divisions. 'Whips must be always present in the House ... ministers and ordinary members may go out of chamber, but not the whips ... They must also know the whereabouts of their members outside the chamber in case divisions are called'. - The above is based on interview of the present writer during April 1969 with M. Korban Ali, AL whip in the second assembly.

3. EBLAP, vol. XI, no. 2, p. 360. Eden Building housed the government secretariat.

4. See, Azad, Feb. 17, 1948.

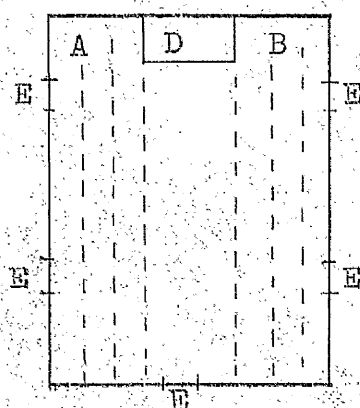
midst of the university campus (within short distances of other halls of residence, faculty buildings, medical and engineering colleges), in the heart of the Dacca city.

The first two sessions of the assembly in 1948 met in the hurriedly improvised chamber which was the assembly hall of Jagannath Hall. During these sessions, members sat in the House of Commons fashion, the government and the opposition facing each other.<sup>1</sup>

Plan 1 gives the floor plan of the Assembly Hall. The sitting arrangement in the chamber as subsequently made, is also shown in the plan. Plan 2 shows the interior of the chamber after further addition of seats were made for the enlarged second assembly.<sup>2</sup>

Originally not designed for the purpose, the building and particularly the chamber, inspite of some extensive alterations and additions, retained the feel of a make-shift and crowded arrangement. At the end of the first assembly, the Speaker reviewing its functioning over the past years stressed the need for larger and better accommodation to replace the

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1. The above information was kindly supplied by S.A.E.Hussain, Secretary, East Bengal Legislative Assembly during 1947 to 1954. He also helped to make a rough diagram



Key: E = entrance

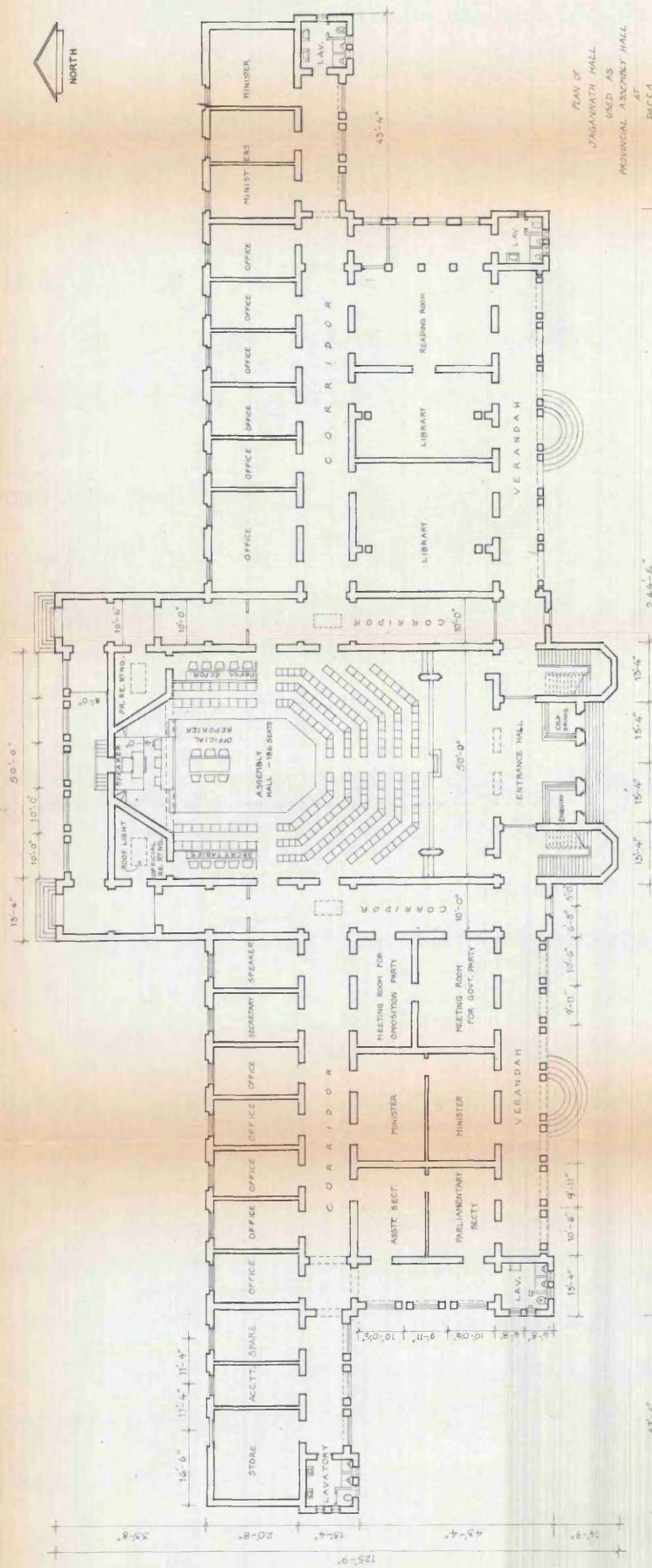
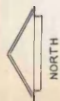
D = Speaker's dias

A & B = 'stepped chairs'

A for government

B for opposition

2. During 1948 to 1951 (up to February), a total of Rs.3,30,578 was spent, - Rs. 1,66,178 for additions, Rs.97,061 for alterations and Rs.67,339 for electric installations. See EBLAP, vol. VI, no.1, pp. 141-2.



PLAN OF  
JAGANNATH HALL  
USED AS  
PROVINCIAL ASSEMBLY HALL  
AT  
DHACA

DWG NO 18/5/51 DATED 15-7-48  
BY CONSULTING ARCHITECT  
GOVT OF EAST PAKISTAN

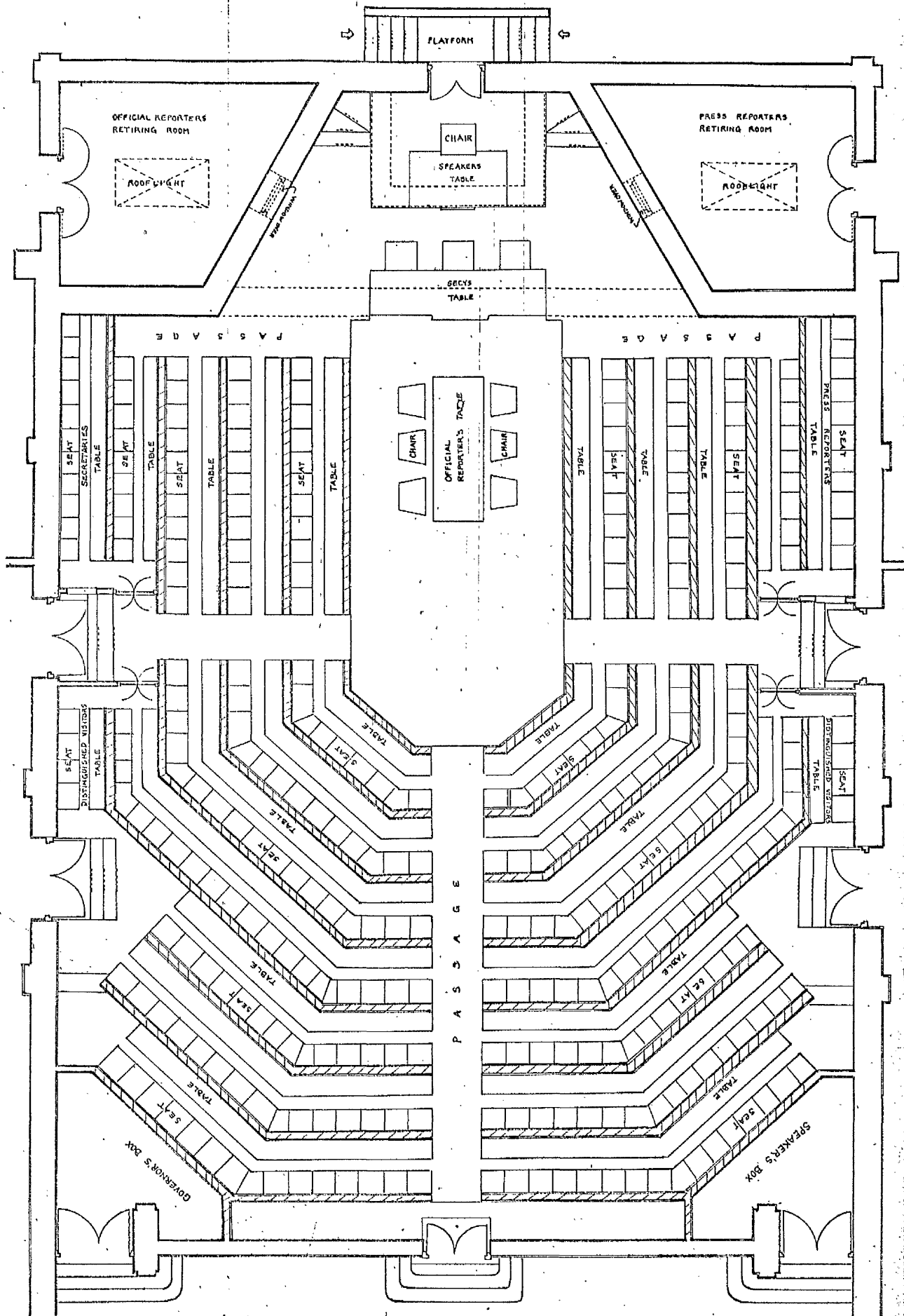
GROUND FLOOR PLAN  
SCALE : 1/16" = 1'-0"

PLAN 1

NOTE:

320 SEATS AT 1'-6" CENTRE  
280 SEATS AT 1'-9" CENTRE  
EXCEPT PRESS REPORTERS SEATS

C.B. & I. DEPARTMENT  
EASTERN PAKISTAN GOVERNMENT BACCA  
ALTERATIONS AND EXTENSIONS TO JAGANNATH  
HALL ON THE ASSEMBLY  
DETAILS PLAN OF ASSEMBLY HALL  
DATED 30-5-51



PLAN 2



1  
 'temporary and stop-gap arrangement'. But the second assembly continued in the same place, heavily over-crowded and lacking in adequate facilities. 'The existing arrangement in the House', it was complained, 'is quite unsuitable and no serious work can be done in the House which can only ill-accommodate 300 members'.<sup>2</sup>

#### 4. Procedure Rules.

Procedural rules defined and regulated the processes by which the assembly discharged its various functions. These rules regulated the arrangement of business of the House, laid down the limits within which debates were to be conducted, regulated the election of the Speaker and deputy Speaker and the moving of no-confidence motion in them and the cabinet. Motions expressing decisions of the House, questions, adjournment motions, resolutions, the different stages of legislation and budget, the formation and scope of various committees of the legislature were guided by the procedural rules and the regulations made thereunder by the Speaker. The specific procedural rules with regard to the various matters connected with, and the functions of, the legislature have been noted elsewhere.<sup>3</sup>

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1. Ibid., vol. XI, no.2, p.361. During the budget session of 1953, a cut-motion was moved 'to raise discussion about the necessity of building a suitable house for the Legislative Assembly'. See, vol.X, no.1, p. 334.
  2. S. Rahman, 'A New Legislator's Frank Impressions', The Speaker, vol. I, no.1, (December 1957), p.36. S.Rahman was a member of the second assembly. The Speaker was a journal of the assembly and the December 1957 issue was the first and only issue. The construction of a relatively spacious and modernised assembly building, at what was then the outskirts but eventually within the bounds of the expanding city, was completed after 1958 and was ready for sessions of the provincial assembly under the constitution of 1962.
  3. For example, for rules regarding sessions of the legislature, hours of daily sitting and attendance etc. see pp.7-20 above, for those regarding offices and committees of the legislature, see pp.30-53 below. For rules on questions, adjournment motions, legislation, budget, private members' business, see Chapter V. Discussions on procedural rules are based on East Bengal Legislative Assembly Procedure Rules 1950, 1954 and subsequent amendments as published in the Dacca Gazette Extra-Ordinary and Azad, during the period.

The rules made by the Bengal Legislative Assembly under section 84(1) of the Govt. of India Act 1935 were adapted after independence by the Speaker of the East Bengal Assembly under section 84(3) of the Act as adapted by the Pakistan (Provisional Constitution) Order, 1947. The opposition in the assembly stressed the need for new rules aimed particularly at making the legislature more effective through, for example, questions, adjournment motions etc., and urged the government to take initiative in the matter.<sup>1</sup> But no step was taken in that direction. The government's attitude perhaps could be explained variously - that it considered the framing of new rules unnecessary or unwelcome, or that it felt the matter could be taken up finally once the framing of the constitution was completed, in the light of provisions embodied in the latter.<sup>2</sup>

Some provisions were amended to bring about consequential modifications for the enlarged second assembly. For example, the numbers of members whose support was necessary to move adjournment motions on the floor and to obtain leave to move motions of no-confidence in the Speaker, deputy speaker and the council of ministers, were correspondingly raised. Other amendments mostly referring to matters of procedural regularisations were subsequently made from time to time. However, one amendment replaced the system of ballot for resolutions and private members' bills and vested the Speaker with discretionary powers to determine their order of precedence.<sup>3</sup>

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1. EBLAP, vol. V, no.1, pp. 313-5.

2. It eventually took politicians at the Constituent Assembly eight and a half long years to frame a constitution - through three Governor-Generals, three prime ministers and one dissolution.

3. Dacca Gazette Extra-Ordinary, Jan. 25, 1956.



The constitution of 1956 provided that the 'procedure of the Provincial Assembly shall be regulated by rules of procedure framed by the Assembly'. It further provided that until rules were so framed, the procedure of the assembly was to be regulated by rules in force immediately before the Constitution Day, subject to amendments by the Governor.<sup>1</sup> During the years 1956-58 there were instances when rules were amended to suit the convenience of the government of the day. Procedural rules laid down the rules of the game as it were, and were ideally to be by nature permanent subject to change by decision of the House. It would appear that during this period they were changed arbitrarily to serve the interests of whichever party was in position to advise the Governor to do so. Two particular instances may be noted. The UF government led by Abu Hossain Sarkar was faced with prospects of no-confidence motions during the session scheduled to begin on August 13, 1956;- Rule 102 was amended on August 1 to raise the number of members whose support was needed to obtain leave of the House to move such motion from 99 to 130.<sup>2</sup> The AL coalition led by Ataur Rahman Khan faced an apparently resolute opposition marshalling its forces as the budget session was due to commence in March 1958, there were apprehensions that the Speaker with whom the governments relation had not been cordial of late might sympathise with the opposition; - Rule 3 was amended before the

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1. See article 88(1a) and Fourth Schedule, part IV, para 10, Constitution of the Islamic Republic of Pakistan, 1956.

2. Dacca Gazette Extra-ordinary, Aug. 1, 1956. The number was similarly raised for no-confidence motion in the Speaker and deputy-speaker. Apparently, there was no threat to these offices at the time, but the Rules dealt with identical matters and were grouped together in the Procedure Rules.

session began to provide that the Speaker could adjourn the House only with the concurrence of the chief minister, to prevent the possibility of adjournment which might adversely affect the government's position.<sup>1</sup>

A Rules Committee was appointed by the assembly on October 2, 1956 on a motion moved by the leader of the House shortly after the AL coalition came to office, to draft rules of procedure for the conduct of business of the assembly under article 88 of the Constitution. The report of the Committee, embodying draft rules, was dated July 30, 1957<sup>2</sup> and appears to have been published in 1958.<sup>3</sup>

The proposed rules in many ways sought to strengthen the position of the legislature and widen the scope of its powers and functions. The draft rules provided for prompt answers to questions, for 'half-an-hour discussion' and 'discussion on matters of urgent public importance for short duration'. The draft rules also provided for a parliamentary committee to study and advise on reports of the Provincial Public Service Commission, National Finance Commission and National Economic Council laid before the assembly under articles 190, 118(5) and 199(6) respectively of the constitution.

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1. Azad, Mar. 7-8, 1958. Also, mention may be made of a series of amendments before the session in September, 1958.

2. Originally the Committee was asked to submit its report on or before January 15, 1957, but the date was extended later to May 31. Finally, however, the report was ready in July. The Committee met on a total of 53 days, mostly during January-March and May-June. See, EPAP, vol.XV, no.3, pp.321-2; vol.XVI, no.1, p.19; Report of the Committee ... to draft rules regulating the procedure and conduct of business of the Assembly under ... Article 88 of the Constitution of the Islamic Republic of Pakistan. (Draft Rules).

3. As noted on front cover. No date was given.

The Committee was also to 'examine and scrutinise assurances, promises and undertakings etc., given by Ministers from time to time on the floor of the House to see whether the assurances, promises and undertakings, etc., have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose and whether such implementation is on the lines as desired by the House'. The draft rules were also designed to associate members more closely with the fixing of time-tables and the private members' business coming before the House, through Business Advisory Committee and Committee for Private Members' Bills and Resolutions.<sup>1</sup>

During the budget session of 1958, the Speaker mentioned that the draft rules would come before the House 'soon'.<sup>2</sup> But the report of the Rules Committee was in fact never presented to the House. The Chief Minister, the mover of the motion for appointment of the Committee, did not clarify the position. It seems unlikely that the government feared it would be unable to obtain support of the House to pass the draft rules, because the opposition as it was constituted in 1958, had been well-represented in the Committee. Under the circumstances, only two possibilities could be suggested - non-availability of parliamentary time for matters such as these as the government remained deeply involved in the struggles for survival, or that the government preferred to work, at least for the time being, under the existing rules with the comparatively restricted role of legislature than as envisaged in the draft rules and with the amending power vested in the Governor.

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1. E.g. see Rules 25-39, 45, 64, 83-6, 192-4, Draft Rules. Also see Chapter V below for references to other provisions of the draft rules.

2. EPAP, vol. XVIII, no. 4, pp. 81-7.

## 5. The Committees of the legislature.

Select committees in the assembly were constituted to study and report on particular bills. Motions for the formation of such committees, with the proposed names of members, could be moved by movers of the bills or other members after the first reading, and they came into existence with the acceptance of such motions by the House. Such committees were temporary and ad-hoc in nature inasmuch as their terms of reference were limited to the consideration and reporting on particular bills. Select committees consisted of not more than 17 members, with the ministers in charge of the departments to which the bills were related as chairmen. The committees could hear expert evidence and representatives of special interests affected by the measures before them. At the second reading of bills thus referred, the assembly took up their consideration as reported by the select committees.<sup>1</sup>

There were also other committees nominated by the Speaker or elected by the assembly for fixed terms. These were the House Committee, Committee on Petitions, Committee on Privileges and the Public Accounts Committee, added later by the Accommodation Committee. It was provided that 'a House Committee may be constituted at the commencement of each session consisting of the Deputy Speaker, who shall be the Chairman, and six other members nominated by the Speaker, to consider and advise upon matters connected with the comfort of the members'.<sup>2</sup>

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1. At this stage it could also be moved under certain conditions that the bills be re-committed. There could also be a committee of the whole Chamber. Procedure Rules, Rules 51-58. For further comments, see Chapter V pp. 339-45 below.

2. Ibid., Rule 126A.

A House Committee was constituted only once in the first assembly in 1951, while in the second assembly they were formed regularly.<sup>1</sup> A Committee on Petitions was to be constituted 'at the commencement of the first session in each financial year and shall consist of the Deputy Speaker, who shall be the Chairman, and seven members nominated by the Speaker'. The functions of the Committee was to examine and report on petitions submitted to the assembly. Petitions to the assembly were only to relate to bills which had been published in the Gazette or introduced in the House. They could be presented to the assembly either through members or through the Secretary, in the former instance to be presented to the Speaker after the questions and before the list of business for the day was entered upon, in the latter the assembly was to be informed of the receipt of the petition in such manner as the Speaker might determine.<sup>2</sup> In the first assembly again, the Speaker announced his nominations for the Committee on three occasions only; it does not appear to have been formed in 1952 and 1953. In the second assembly they were formed with comparative regularity during 1956 to 1958. Apparently, the Committee remained entirely inactive all throughout. The official proceedings of the assembly give no indication

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1. The only exception in the second assembly was the first one-day session on August 5, 1955. On August 13, 1956, the assembly was prorogued before it could sit.

2. Ibid., Rules 80-83.



of a petition having ever been received.

A privilege motion was moved in March 1957 by a member from the opposition to provide that 'the buildings constructed or requisitioned by the Government for the exclusive use of Members of the Provincial Assembly should be placed under the control of the Assembly Secretariat'. The purpose was to obtain 'impartial treatment' to all members 'irrespective of party affiliations'. It was suggested that the House Committee be entrusted with the responsibility of allotment of seats in these places.<sup>2</sup> Ultimately the motion was referred to a committee.

1. The list of nominations indicate that very few members were nominated to serve on more than one occasion and in both the House and the Petition Committees, with a view perhaps to accommodate as many members as possible. Members were seldom nominated to serve on both Committees simultaneously. When an unexpected prorogation was followed within a short time by another session, the Speaker nominated the same members again. Other considerations in the composition of these Committees were apparently those of party membership and minority community. Female members were practically overlooked in the first assembly, while in the second assembly they were not nominated to any Committee after the budget session of 1957. At the next budget session a lady member wished to know why no member from her sex was to be found in the Committees the Speaker had just constituted. The Speaker promised to 'rectify the mistake' on subsequent occasion. For constitution of the House Committee and the Committee on Petitions, see, EBLAP, vol. II, p.58; vol. IV, no.1, p. 2; vol. V, no.1, p.2; EPAP, vol. XIII, p.18; vol. XV, no.1, p.3; vol. XVI, no.1, pp. 3-4; vol. XVII, no.1, p.3; vol. XVIII, no.1, p.5; vol. XIX, p.1; vol. XX, p.3.
2. EPAP, vol. XVI, no.2, pp. 71-72. The special interest was due to the fact that at long last a new residential building had been constructed which was expected to accommodate a large number of members of the assembly. The accommodation that was available for members of the first assembly fell far short of the requirements of the second assembly. Members from outside Dacca had been the worse sufferers - mostly they had to put up with relations and friends ('if any') or arrange to stay at hostels, mess etc. The new MLA's hostel or Party House was also called 'Shadashya (Members) Bhavan'. A slight change of letters and it could be rendered - to the relish of cynics - into 'Dashyu (Dacoits) Bhavan'. The present writer, a college student at the time and living in the vicinity, can recall occasionally hearing the derivative.

consisting of 12 members, with the finance minister as the chairman.<sup>1</sup> The committee recommended that buildings constructed or requisitioned by the government for the exclusive use of members of the assembly be placed under an Accommodation Committee, which was to consist of the chief minister as the chairman and 6 members elected on the basis of proportional representation by means of single transferable vote. For the present assembly, however, the Speaker was to nominate the members to the Committee which would continue till dissolution. The Accommodation Committee was to deal with all matters affecting accommodation of members in or out of session.<sup>2</sup> The Committee was accordingly constituted.<sup>3</sup>

The Public Accounts Committee consisted of 9 members, including the finance minister as an ex-officio member. The Committee was elected annually by the assembly on the basis of proportional representation with single transferable vote. The chairman was elected by Committee from among its members.<sup>4</sup> The PAC provided an important instrument of control by the legislature over the executive. Its function was to scrutinise and report on the accounts of the province and the reports of the Auditor-General thereon laid before the assembly. The Committee's power

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1. The privilege motion had involved the finance minister and members from opposition into an acrimonious debate. The leader of the House who arrived later expressed regret that the matter should have given rise to controversy and suggested an informal meeting of some members outside the chamber. The final decision appears to have been an outcome of the meeting. Ibid., vol. XVI, no.2, pp.71-83, 97.
  2. Ibid., vol.XVI, no.5, pp. 112-3.
  3. Ibid., vol.XVI, no.5, pp.189-90.
  4. Procedure Rules, Rule 112. Apparently, the Finance minister also functioned as the chairman. For example, see EBLAP, vol.X, no.2, p. 137; EPAP, vol.XX, p.264.



its function of scrutiny, for it was provided that in scrutinising the accounts and report of the Auditor-General, the Committee was 'to satisfy itself -

- (a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged,
- (b) that the expenditure conforms to the authority which governs it, and
- (c) that every re-appropriation has been made in accordance with such rules as may be prescribed by the Governor or by the Finance Minister, as the case may be.

It was also the duty of the PAC -

- (a) to examine such trading, manufacturing and profit and loss accounts and balance sheets, as the Governor may have required to be prepared, and the Auditor-General's report thereon; and
- (b) to consider the report of the Auditor-General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock. <sup>1</sup>

It would appear that such a potentially powerful weapon of legislative check on the government's expenditure remained in virtual disuse. The accounts and audit report for 1947 (post-independence)- 1948 was laid before the assembly as late as the budget session of 1953. There was dissatisfaction in the House, mainly voiced by the opposition, over the delay and on one occasion the leader of opposition refused to co-operate with the government chief whip on the matter of filling vacancies in the Committee in 1952 'for the simple reason that there was no use of nominating a member from my party for the Public Accounts Committee, if it would not meet at all'.<sup>2</sup>

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1. Procedure Rules, Rule 113.

2. EBLAP, vol. VIII, p.82. For other examples of criticisms in the first assembly, see vol.V, no.2, p.406; vol.X, no.1, p.176-7; vol.X, no.2, pp.135-9.

The chief minister who also held the portfolio of finance, explained that

... the audited account is prepared by the Accountant-General of the Province who is not under us and the Accountant-General has not yet been able to submit an appropriation statement since partition. We have referred the matter to the Auditor-General of Pakistan, but we have been told that this report will be prepared very soon and will be submitted to us. Without an appropriation account and an audited account, nothing can be placed before the Committee.<sup>1</sup>

The accounts and audit report which was finally placed before the House in February 1953 did not receive the immediate and earnest attention of the Committee which it deserved. When attention was drawn on the floor in August 1953 that the PAC had not yet been convened for a meeting, the finance minister announced - in what must certainly be regarded as a mockery to the legislature - that he proposed to call a meeting of the Committee during the current session, for it was admittedly the last session of the assembly before dissolution.<sup>2</sup> The accounts and audit reports thereon for the years 1948-49, 1949-50, 1950-51 were placed before the second assembly at its first regular session in September 1956.<sup>3</sup> In reply to a

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1. Ibid., vol. VIII, pp. 95-6. The difficulties as listed in the Introduction of Audit Report on the Appropriation Accounts for 1947-48 mainly related to lack of trained staff, adequate and suitable office accommodation and reference books, accounting machines, forms, registers etc., delay in the submission and incomplete and incorrect preparation of accounts by the disbursing officers, as for example, the treasuries, and confused state and arrears in which many accounts were left in the pre-independence period. See, Report of the ad-hoc Public Accounts Committee on the Appropriation Accounts of the Government of East Pakistan for the years 1947-48 (post independence) to 1953-54, Dacca Gazette Extraordinary, June 15, 1963, p. 507.

2. EBLAP, vol. XI, no. 1, pp. 51-2.

3. EPAP, vol. XV, no. 1, p. 30.

question in the assembly in June 1958, it was stated that the PAC met on 9 occasions during August and December 1957 and examined the public account of the province up to the year 1951-52 and that the report was under preparation.<sup>1</sup> However it was subsequently pointed out that the PAC had not disposed of a single audit report. It was also mentioned that in fact the PAC had met only twice during the eleven years from 1947 to 1958.<sup>2</sup> An ad-hoc Public Accounts Committee, appointed by the Governor under martial law administration, examined the accounts and audit reports of the years 1947 (post-independence) - 1948 to 1953-54.<sup>3</sup> Various government departments were criticised in fairly strong terms for irregularities and lack of proper control of expenditure. In fact, defective control over expenditure was the main theme of the criticisms. The Committee found that there were 'certain important common factors which are responsible for the unsatisfactory state of affairs prevailing in the years under the report. By far the most important single factor ... is the lack of interest and the absence of proper consciousness regarding the importance of accounts matters amongst the Secretaries of the Provincial Government and Heads of Departments'. Among the other factors

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1. Ibid., vol. XX, p. 264.

2. By the ad-hoc PAC. See footnote 3 below.

3. The ad-hoc Public Accounts Committee as it was first constituted consisted of the Governor and the Chairman, the Chief Secretary as an official member, three non-official members of whom two were retired government servants, and the finance secretary as the secretary to the Committee. The Committee met on five occasions during January 1960 to April 1962. It could not complete the scrutiny of audit reports of subsequent years up to 1957-58 and hoped that the PAC of the legislature under the 1962 Constitution would take up the matter.

mentioned were 'the lack of adequately trained account staff at various levels in all the Departments' and 'the unsatisfactory working of the Provincial treasuries'.<sup>1</sup> The fact remained however that the findings and recommendations over the accounts and audit reports of the years 1947-48 to 1953-54 came practically more than ten years later, prepared by a committee of the government as such. The essence of the concept of parliamentary control during the years under consideration - of the government's accountability to the legislature, which voted the money, within a reasonable time to make both the criticisms and the control effective, was lacking.

It has been noted in a study of the Indian Parliament how the Public Accounts Committee which had a restricted role in the period before independence was developed into a powerful parliamentary committee. This had been possible because of the keen interest of members of both the ruling party and the opposition, a sense of purposeful direction on the part of the Speaker and the government's readiness to accept and abide by the principles of parliamentary control. It has been noted that the Public Accounts Committees in the Indian state legislatures however fell short of the high standard of that of the Indian Parliament.<sup>2</sup> It appears that the PAC in the central legislature of Pakistan also had a weak and feeble existence. It was however able to examine the accounts and audit reports of the years 1947-48 to 1952-53, laid before the legislature

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1. Report of the ad-hoc Public Accounts Committee, op.cit., pp. 505-84.

2. W.H. Morris-Jones, Parliament in India (London: Longmans, Green and Co, 1957), pp. 279-98. For a brief account of the origin and powers of the Public Accounts Committee in the British House of Commons, which was the recognised model for Indian and Pakistan parliamentary institutions, see Basil Chubb, The Control of Public Expenditure: The Financial Committees of the House of Commons (Oxford: Clarendon Press, 1952), pp. 23-41, 169-97.

somewhat later than would have been considered desirable; the PAC presented its reports on the last three years to the House in 1957.<sup>1</sup>

A Committee of Privileges was to be constituted at the commencement of the first session in each financial year, consisting of the deputy speaker as the chairman and eleven members elected by the assembly according to the principle of proportional representation by means of single transferable vote. It was provided that the Committee was to continue until another was constituted in the following year and that members were eligible for re-election.<sup>2</sup> When it was thought that a certain privilege had been broken or encroached upon, a member could move motion in the assembly referring the matter to the Privileges Committee. The Committee after examination reported to the assembly whether or not the matter in fact constituted a breach of privilege and recommended the measure to be taken in case of actual breach.

The only matters referred to the Committee involved complaints of breach of privilege against newspapers. The first Assembly had a somewhat protracted tussle with the daily Azad. During the fourth session when the State Acquisition and Tenancy Bill was under consideration, a point of privilege was raised maintaining that the Azad editorial of December 1, 1949 had 'cast serious reflections and insinuations' on the members of the ruling

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1. Keith Callard, Pakistan: A Political Study (London: George Allen & Unwin Ltd., 1957), p. 116; Munir Ahmad, Legislatures in Pakistan 1947-58 (Lahore: University of the Panjab, 1960), pp. 78-9. The latter was the fourth publication in a series entitled Problems of Pakistan. H. Montgomery Hyde was the General Editor.

2. Procedure Rules, Rule 126.



party. The editorial was said to have been critical of a section of the party as being 'indifferent' to the passage of the Bill and questioned their motive.<sup>1</sup> The matter was referred to the Privileges Committee which found that the editorial contained 'insinuation and a veiled threat against the members of this assembly calculated to bring them into discredit before the public and constituted a breach of privilege of the Legislature'. The Committee recommended that admission to the press gallery and other attendant privileges be withheld from the representatives of the Azad 'until such times as the paper makes a full, frank and unqualified apology to the satisfaction of the Hon'ble Speaker as the custodian of the rights and privileges of the House'.<sup>2</sup> During the following session attention was drawn to the presence of representatives of the Azad and it was inquired whether the recommendations of the Privileges Committee had been complied with. The Chairman (in the absence of Speaker) informed the House that 'unqualified apology was tendered to the Hon'ble Speaker'. But the Azad promptly repudiated the claim in an editorial and maintained that only an explanation had been offered by its editor to the Speaker which was found satisfactory. The point was also made with the help of extracts from the notes of the Secretary of the assembly that in fact the ban was lifted on order of the Speaker after 'the Editor of the Azad has explained the matter to the satisfaction of the Hon'ble Speaker'. The editorial, a member complained, also made derogatory comments on a section of League members in the assembly.<sup>3</sup> The Speaker admitted that

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1. EBLAP, vol. IV, no.3, pp.68-9.

2. Ibid., vol. IV, no.5, pp.2-3.

3. Ibid., vol. V, no.1, pp. 164, 235-7.

he had failed to look into the exact wording of the report of the Privileges Committee but maintained that it was his impression from his talks with the editor that an apology had been implied. In view of the stand taken by the paper in its recent editorial, the Speaker felt he had no alternative but to re-impose the ban until the paper complied with the decision of the House.<sup>1</sup> It appears that as late as October 1952 the paper had not chosen to do so.<sup>2</sup>

The daily Morning News in an editorial on March 2, 1951 criticised the Speaker's decision to re-impose the ban on Azad in terms which, it was contended, 'wilfully and maliciously sullied the sacred position' of the Speaker. The matter was moved to the Committee of Privileges which found the Morning News guilty of breach of privilege and banned its representatives from the press gallery.<sup>3</sup>

The Azad and the Morning News were both widely circulated dailies. Besides, the proprietorship in both cases could be regarded as closely connected with the Muslim League leadership in the province. At the time, both could be generally said to be pro-Muslim League and pro-government. The proprietor of Azad served as President of the provincial League for a number of years. The editorial comment of the Azad on December 1, 1949 apparently was aimed at dissident members within the party. In all instances, moves for reference to Privileges Committee came

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1. Ibid., vol.V, no.1, pp. 311-2.

2. Ibid., vol.IX, no.2, p.10.

3. Ibid., vol.V, no.2, pp. 51, 71-2, 281; vol.VII, pp.87-9; vol.IX, no.2, p. 10.



from members of the party who could be regarded as critical and opposed to the leadership of the time. In fact, when it came to be known that the Speaker had removed the ban under conditions which failed to conform to the recommendations of the Privileges Committee, it was suggested that the 'full episode is again referred back to the Privileges Committee to rectify the whole thing' because 'it appears that there is more to it than meets the eye'.<sup>1</sup> The subsequent developments which manifested the somewhat slighting attitude of the dailies towards the assembly is notable; also to be borne in mind is the link of these papers with the ruling party.

There were instances of misreportings in newspapers which were mostly raised as points of privilege but not referred to the Privileges Committees. A circular was issued by the Speaker in 1951 to all newspaper editors 'to see that proceedings are reported faithfully and accurately in future'.<sup>2</sup>

There were several references to Privileges Committee involving newspapers in the second assembly, but none led to the bitter developments witnessed in the first.<sup>3</sup> One particular matter before the Committee concerned a local daily as well as three opposition members of the assembly. During the September session in 1956, after the budget was passed by the House, the three members issued a statement, which was published in the newspaper, maintaining that the passing of the budget

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1. Ibid., vol.V, no.1, p.236.

2. Ibid., vol.V, no.1, p.102. For instances of misreporting see for example, vol.V, no.1, pp.64,147; vol.VI, no.1, pp.48,208-9; vol.VIII, p.224; vol.IX, no.1,p.14 and no.2,p.10.

3. For references of newspapers to Privileges Committee, see, for example, EPAP, vol.XV, no.1, pp.53-4, 119; vol.XV, no.2, pp.69, 153, 179; vol.XV, no.3, p.105; vol.XVII, no.1, pp.24-8.

had been ultra-vires. They did so when a ruling of Speaker on the matter was still being awaited. The Committee apparently examined the question with great care 'as the points raised are of great importance from the point of view of the development of the privileges of the Parliamentary institutions in our country', and reported to the assembly in June 1958. The Committee found that in publishing the statement, the Pakistan Observer acted in the bona fide belief that such act did not involve any breach of privilege of the House. But in the opinion of the Committee the members concerned were to be warned 'inasmuch as the premature publication of a matter in the press on which a ruling from the Chair was being awaited is not allowed in any Parliamentary institutions'.<sup>1</sup>

#### 6. The Assembly Secretariat.

An independent status was granted to the office of the Bengal Legislative Council in 1932, prior to which the office was part of the Legislative Department of the government of Bengal. As a separate and independent office the council department was administered by the President of the Council, subject only to the ultimate authority of the Governor. It was autonomous except in matters of finance. The constitutional position under the Govt. of India Act 1935, was that the assembly department was 'free from control either by the Government or the Governor, to be administered by the Speaker subject to the ultimate authority of the Bengal Legislative Assembly'. However, in actual fact the autonomy of the

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1. In respect of the latter, one member of the Committee gave a minute of dissent and did not agree that a breach of privilege was involved. See, ibid., vol.XV, no.3, pp.305-6; vol.XVII, no.1, p.29; vol.XX, pp.27-8.

department was said to have been greatly reduced under the rules made under the Act. The Home (Constitution and Elections) Department of the government began to exercise control over the office of the legislature on the authority of the rules thus made. After independence the control appeared to have tightened further.

The Provincial Government of East Bengal after independence began to control the office of the Assembly which thus became a portfolio of the Home Minister. As a result, the Speaker was reduced to a shadow. Again and again the Executive Government thought it fit to turn down proposal for the development of the East Bengal Legislative Assembly Department on the plea that the Provincial Government thought the scheme unnecessary.... from 1947 till the year 1955 this state of subjugation to the Executive Government continued, and the Assembly Department came below the rank of a Directorate and the Home (Constitution and Elections) Department began to enquire even about the expenditure of the Assembly Department with regard to the office expenses and miscellaneous including the supply of newspapers for the Speaker. 1

This certainly serves as an indication of the government's attitude towards the legislature itself. The Speaker of the first assembly, it would appear, fell short of the role which was historically his to lay the foundations for the growth and development of an administrative body which could help in large measure in providing an efficient base for the functioning of the legislature and in building a firm and stable legislative tradition.

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1. S.N. Azfar, 'A Secretariat in the Making', The Speaker, p.2. The above background is also based on this article by S. N. Azfar who served as Joint Secretary, East Pakistan Assembly. Also see, EBLAP, vol.XI, no.1, p.361; EPAP, vol.XV, no.3, p.134. The assembly department had four separate departments to deal with administration, accounts, legislation and technical section (questions, resolution, motion, budget etc.). The above information is obtained from Azad Ali, retired Assistant Secretary of the Assembly.

In 1955, the newly elected Speaker pressed for autonomy of the assembly department, maintaining that it ought to be absolutely free from the control of the executive in financial matters and in the appointment, promotion etc. of its personnel, to be able to serve 'faithfully' all sections of the House. He argued that the independence of the legislature from the Governor and the executive, as provided in the Govt. of India Act 1935, required that the Speaker administered 'the Assembly Department subject to the ultimate authority of the legislature and through it, of the nation'.<sup>1</sup>

The constitution which came into force in March 1956 provided for an assembly secretariat. The assembly was to regulate by law the recruitment and conditions of service of persons appointed to the staff of the provisional assembly and until the laws were so made, the Governor could in consultation with the Speaker frame rules to that effect. The expenditure of the secretariat was charged upon the Provincial Consolidated Fund and was to be controlled by the assembly acting on the advice of the Finance Committee consisting of the Speaker, the finance minister and such other members as elected by the assembly.<sup>2</sup> The rules were accordingly framed on March 25 and published in the Dacca Gazette Extra-ordinary on April 9, 1956.

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1. S.N. Azfar, 'A Secretariat in the Making', op.cit., pp. 4-9.

2. Article 97 and Fourth Schedule, Part IVB. Earlier, when the amount was votable and included under the estimate for 'general administration', cut-motions were moved from time to time particularly regarding the government's failure to employ adequate number of Bengali short-hand reporters and to raise discussions about salary and conditions of employment of the employees of the assembly department. For examples see EBLAP, vol.V, no.2, p.115; vol.VIII, p.110; vol. X, no.1, p. 334; EPAP, vol.XV, no.2, p.16.

However, shortly afterwards, on May 25 the rules were rescinded and declared ultra-vires to the constitution by order of the Governor and were substituted by the previously existing rules.<sup>1</sup> As a matter of fact this action followed in quick succession the adjournment of the assembly by the Speaker after he had refused permission to finance minister to present his budget. The Speaker disclosed that as late as May 22 (incidentally, on the eve of the session) the chief minister had informally communicated to him that the legal advisor to the government had found the rules to be intra-vires. These would lend credence to the suggestion that the order was intended as a punitive measure. The Speaker questioned the constitutional propriety of the Governor's notification and declared that the notification of May 25 was to be deemed as cancelled.<sup>2</sup> However, the impasse was resolved when on August 4, 1956 the secretariat rules were again published in the Gazette in a notification from the Governor's secretariat. During the first full-fledged session of the assembly held in September-October, 1956, the East Pakistan Assembly Secretariat Bill was introduced and passed as a private member's bill with the support of the Speaker and the concurrence of the ministry. (A change of government had taken place at the end of August).<sup>3</sup>

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1. Dawn, May 28, 1956.

2. For the texts of the Speaker's note on the matter dated June 11 and his notification dated June 26, see The Speaker, pp.12-18.

3. The bill was introduced on Sept.20 and referred to select committee. This was a rare occasion when the Speaker was nominated to the select committee, to act as its chairman. The report was presented and the bill passed on Oct.2. Mainly the reported changes to the bill concerned improvements in matters of expression and precision in language and some fairly minor alterations. Some changes were aimed at making the Finance and Service Committees more representative of the House and certain provisions, more comprehensive. See, Bacca Gazette Extra-ordinary, dated Sep.21, 1956 for the Bill and Oct.1, 1956 for report of the select committee. Also, EPAP, vol.XV, no.1, pp.56-60, 143-5; vol.XV, no.3, pp.125-7, 306-8.



The Act provided that the secretariat was to be 'self-contained, independent and autonomous body within the framework of the Constitution' and that the Speaker was to administer the secretariat subject to the 'ultimate authority of the assembly'. The Speaker was entrusted with fairly substantial powers with regard to creation of posts, appointment and remuneration etc., subject to some consultations with or approval of the Finance and Service Committees.<sup>1</sup>

However, subsequent developments concerning the secretariat provide a sad commentary on the performance of the Speaker. Primarily political and partisan considerations of the various interested parties were responsible for the fact that eventually the secretariat stood shorn of much of its autonomous and independent character.

The following extracts would reveal the nature of dissatisfaction against the Speaker in his administration of the secretariat. The first is taken from the account of Ataur Rahman Khan (AI), of his two years of chief ministership of the province (1956-58).

Mr. Abdul Hakim. Mr. Speaker, Sir .... After becoming the Speaker he started a revolution in his domain. He is everything. He is omnipotent and sovereign.

He made rapid increase in the number of staff of the assembly. Not only the numbers, but the rate of pay as well. And started giving promotions every month .... The budget for the assembly increased threefold. So the need for finance. Finance was to be provided by the finance department. But it refused and made substantial cuts.

Mr. Speaker became angry. He started writing letters in order to get his work done. He wrote to me and the finance minister at rapid intervals.

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1. For the act, which comprised of 32 sections, see The Assembly Secretariat (East Pakistan) Act, 1956. (Legislative Department, Government of East Pakistan).

But we could not agree.... For all these reasons he remained annoyed and started saying that at any opportunity he would undermine the position of the government. 1

The Asir Commission Report<sup>2</sup> noted,

It is gathered from the evidence of Mr. Abdul Hakim and from the evidence of other witnesses including witness No. 7 (the Secretary, East Pakistan Assembly) that Mr. Abdul Hakim played the role of a Dictator, as it were, in the matter of distribution of favours and appointments in connection with the East Pakistan Assembly Secretariat. 3

The Commission had before it letters of recommendation addressed to the Speaker from members of the assembly, including the chief minister and other ministers, regarding appointments and promotions in the assembly secretariat. The Report continued,

This led to dissatisfaction in some quarters for the simple reason that Mr. Abdul Hakim could not please everybody with his arbitrary way of doing things. He created enemies in the various political camps though he seems to have severed his connections with all political parties since he was elected as Speaker of the House. For reasons, right or wrong, it, however, appears that discontentment grew against him. Some new appointments had been given at the instance of Mr. Abdul Hakim to his relations and promotions had also been similarly given in many cases.... Mr. Hakim has definitely asserted that all such appointments and promotions had been regularised through the relevant Service Committee and the Finance Committee. It is, however, in evidence that the Finance Minister, Mr. Monoranjan Dhar, did not see eye to eye with him with regard to these appointments and

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1. Ataur Rahman Khan, Two Years of Ministership (Bengali - Ojaratir Dui Basar) (Dacca: Standard Publishers Limited, (1963) ), p.294. The above is translated from original Bengali. Exact literal translation was not possible. The translation also fails to capture the subtle undercurrents of humour and sarcasm of the original. Allowances are to be made for some possible exaggerations inherent in the literary style. The general indications are nevertheless clear.

In his budget speech of 1958, the finance minister was expressly critical of the expenditure of the assembly secretariat. EPAP, vol. XVIII, no.1, p. 103.

2. See p.275, footnote 1, below.

3. P.608 of the Report.



promotions. In fact, the Department of the Accountant-General, East Pakistan, stood for sometime in the way of recognition of such appointments and promotions. 1

By 1958, the matter had aroused widespread criticisms. During June session, a member sought to move a motion for instituting an 'Assembly Secretariat Enquiry Committee to investigate into the allegations published in different newspapers regarding the administration of the assembly'.<sup>2</sup> Three resolutions proposing the 'setting up of an enquiry committee to enquire into the affairs of the East Pakistan assembly secretariat' were submitted for March and June sessions.<sup>3</sup> There were also an increasing number of questions submitted on the administration of the secretariat, under the Secretariat Act. The Speaker ruled that the particular provision of the Act which provided that the deputy speaker was to answer all questions in the assembly relating to the matters affecting the secretariat, was ultra-vires as it went beyond the scope of the enabling provision of the constitution. The ruling met with disapproving comments from members from different sides which in large measure reflected the isolation of the Speaker.<sup>4</sup>

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1. P. 608 of the Report.

2. EPAP, vol. XX, pp. 25-6, 138-9. In March 1958 the Speaker was reported to have circulated a 29 page note to members of the assembly on the allegations which appeared against him in newspapers particularly concerning appointments made in the secretariat. Azad, Mar. 10, 1958.

3. One was admitted but did not come up before the House while two were disallowed. (Register on Resolutions, see p. 385, footnote 2, below).

4. See, EPAP, vol. XVIII, no. 2, pp. 117-8; vol. XVIII, no. 3, p. 103; vol. XVIII, no. 4, pp. 73-89. Also see, p. 312, below.

The preamble of the Assembly Secretariat (East Pakistan)(Second Amendment) ordinance promulgated before the assembly met for the budget session in 1958, indicated that it was intended to operate against the creation of posts, the appointments, increments and promotions which had been effected in contravention of the Secretariat Act. The provisions of the ordinance was in fact fairly extensive in nature. It abolished all posts created under the Secretariat Rules of August 3, 1956 and the Secretariat Act and declared all appointments made thereto as null and void. It also made substantial restrictions in the Speaker's powers with regard to appointment and remuneration etc. The power of the secretary over the administration of the secretariat was strengthened to some extent. The amendment deprived the secretariat of its 'independent' character and omitted the sub-section which laid down that 'the secretariat shall not be under the control of the Executive department of the Provincial government and there shall not be any Administrative department over the head of the Secretariat'.<sup>1</sup>

Obviously, apart from curbing what it thought to be excessive expenditure or unnecessary growth for the assembly secretariat, the government also had other considerations. It did not seem to favour the existence of an independent body very largely outside control from the executive or government administration. Also no doubt there was the expediency of dealing with the Speaker who was gradually proving antagonistic

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1. For detail provisions, see the Assembly Secretariat (East Pakistan)(Second Amendment) Ordinance, 1958, in Dacca Gazette Extraordinary, Mar. 10, 1958. The first amending ordinance was issued on February 8, 1958 and related to matters regarding publication of bills. The ordinances were renewed at the expiration of their terms. In all, six amendment ordinances were issued during the year. For the Act as amended, see East Pakistan Code (Code)(Law Department, Government of East Pakistan, 1962), vol. VII, pp.529-42.

by striking at the root of his powers. As could be expected, the opposition which while in power in 1956 had been critical of the Speaker, on this occasion took up the issue on his behalf. The opposition sought to move motions disapproving the ordinances in both March and June sessions and there was also an attempt in March to move an adjournment motion against the ordinances which affected the 'status of the House'.<sup>1</sup>

Towards the end, there also emerged another disturbing feature. The government took advantage of, or found it had the support of, the secretary of the assembly as against the Speaker. The Asir Commission noted it to be in evidence that 'when Mr. Hakim was favouring many others with promotions and higher salaries, the Secretary failed to receive any favour in such high degree'. The unchallenged evidence of the secretary also indicated that in June 1958 there was 'extreme pressure' put on him by interested parties, apparently in conjunction with the Speaker, to influence his wife, an MPA, to rejoin the KSP from which she had earlier switched her allegiance to the AL. Referring to the amendment of procedural rules by the government on the eve of the September session, giving powers to the secretary over matters regarding list of business for the House, the Commission observed that the amendments

indirectly showed that the Government Party seemed to have at the relevant time more confidence in the Secretary than in the Speaker. The categorical evidence of Mr. Abdul Hakim to the effect that he could not confide (sic; 'confide'?) in the Secretary seems, therefore, to be not without any reason. It is clear that the Speaker thought that the Secretary must have been in the good book of the government. Whether this kind of view as entertained by the Speaker ... could be justified or not cannot be

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1. EPAP, vol. XVIII, no. 1, pp. 19-21, 49-57, 153-6; vol. XX, pp. 30-1.

determined within the scope of this enquiry, but the fact remains that, rightly or wrongly, the Speaker became suspicious about the Secretary's loyalty to him .... the Government side members being suspicious about the Speaker seem to have turned their eyes to the Secretary with more confidence. 1

The organisation of the assembly secretariat was divided into Assembly, Hansard, Administration, Translation and Paribhasha Branches, all except the last with several sections under them. Sections under the Assembly Branch dealt with matters connected with the business and proceedings of the House. The Hansard Branch had separate sections for official proceedings, reporting, compilation of ruling, journal etc. The Administrative Branch had 26 sections to deal with various administrative and establishment matters. The Translation Branch had two sections, dealing with English and Bengali translation of the business transacted in the House. The Paribhasha Branch functioned under a committee consisting of ten members from the staff of the secretariat. The task of the Paribhasha Committee was to coin Bengali words for commonly used English parliamentary terms.<sup>2</sup>

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1. P. 616 of the Report. Also see, p. 609.

2. The above is based on a chart provided at the end of the article by Azfar in, The Speaker, pp. 20-3.

It could be mentioned here, as the section above is being brought to a close, that no officer from the legislature attended parliamentary courses at the Westminster, which are intended to enable visiting officers from overseas legislatures to watch the British Parliament at work and to acquaint them with the functioning of the various offices of the Parliament. Three courses are held to coincide with the sessional programmes of the Parliament. Initiative to send officers comes from overseas legislatures and governments and the only limiting factor to their acceptance by Westminster is a maximum of four at any one time, the actual selection being on a basis of 'first come first served'. (The above is based on information kindly supplied by Michael Lawrence, Clerk of the Overseas Office, House of Commons.).

The East Bengal Branch of the Commonwealth Parliamentary Association was formed by the assembly in 1949. The Branch sent its delegate to CPA conferences (which were held every alternate year) in 1950, 1952 and 1957. During 1954-55, the East Bengal assembly practically did not function at all. The following members went as delegates: K. Nasrullah (1950), Sharfuddin Ahmad (1952) and Mirza Gholam Hafez (1957). Another member, Mahibus Samad, attended a parliamentary

## 7. The Speaker and the Deputy Speaker.<sup>1</sup>

The proceedings of the House were conducted by the Speaker and in his absence, by the deputy speaker.<sup>2</sup> The Speaker admitted matters for transaction before the House if in his opinion they conformed to the admissibility rules. In this, however, he was assisted by the staff of the assembly who through years of experience had acquired expert knowledge. But ultimately the responsibility was his.<sup>3</sup> No business, not included in the list of business could be transacted at any meeting without the leave of the Speaker. The Speaker decided all points of order and his decision was final. He could order a member to discontinue his speech if in his opinion the member resorted to repetition and irrelevance. Under the Rules, he could fix time limit for discussion by members.<sup>4</sup> Members were

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course in 1957, under the auspices of the U.K. Branch of the CPA. (The present writer is also indebted to Ian Grey, Deputy Secretary-General of the General Council of the CPA for his kind permission to consult the Report of the Proceedings of the Commonwealth Parliamentary Conference 1948-59, Commonwealth Parliamentary Association. Report of the General Council 1949-50 - 1957-8, Report of Proceedings of General Meeting 1950-54 and some records at his office, and to P.G. Molloy, Secretary, United Kingdom Branch, CPA.).

1. Considerable attention has already been focussed on the office of the Speaker in course of the preceding sections, particularly sections 2,4,5 and 6. Subsequent chapters also contain some references to the Speaker's role and office. Hence only a brief observation on points not hitherto made or subsequently dealt with in detail is provided here.
2. In their absence, a member from the panel of chairmen presided over the House. A panel of four chairmen was nominated by the Speaker at the commencement of each session and unless otherwise arranged or directed by the Speaker, members from the panel took the Chair in the order in which they were nominated.
3. For detail discussions, see Chapter V below.
4. Procedure Rules. Rules 13, 15, 21, 41, 108.

expected to take the floor only when they were able to 'catch the Speaker's eyes'.<sup>1</sup> It was the Speaker's task to maintain order in the House. To this end, he was armed with the powers of ordering withdrawal of members whose conduct in his opinion was 'grossly disorderly' and of suspending a sitting, for a specified time, in case of 'grave disorder' in the assembly. He could by orders not inconsistent with the Rules make provisions for matters which had not been provided for by the Rules and could give directions for giving effect to such Rules and orders. The Speaker's decision was to be final in case of doubt as to the interpretation of the provisions of the Rules.<sup>2</sup>

The Speaker's was of course a grave and delicate task - of maintaining order, guiding the proceeding of the House, conducting it in a manner so that the views of all sections were heard. A point invariably stressed by members while congratulating a newly elected Speaker was their hope that he would henceforth serve the assembly as a non-party man and conduct the affairs with neutrality.<sup>3</sup> One way to secure this neutrality was to forsake party ties and assume a non-political character. Speaker Abdul Karim of the first assembly evidently retained some links with his party. He was a member of the East Pakistan Muslim League council and was elected to the council of the Pakistan Muslim League in November 1948.<sup>4</sup> Later, in October 1952, he was elected by PML council to the central parliamentary board.<sup>5</sup>

1. Parliamentary Conventions (East Bengal Legislative Assembly Department, (1948)), a booklet compiled by S.A.E. Hussain, Secretary, East Bengal Legislative Assembly.

2. Procedure Rules, Rules 16, 116, 128.

3. EBLAP, vol. I, no. 1, pp. 6-8; vol. XII, pp. 7-15.

4. Azad, Nov. 4, 1948.

5. Dawn, Oct. 14, 1952.



When in April 1953, Nurul Amin, the chief minister and the President of the provincial League, was faced with rebellion from a section of the party headed by Yusuf Ali Chowdhury, the erstwhile secretary of the party and a member of the assembly, who prepared to move a motion of no-confidence in the council against the former's leadership, the Speaker's name appeared in the list of councillors who, in a counter-move, affirmed their 'unstinted support and unswerving allegiance' to Amin.<sup>1</sup>

It could be said of Abdul Hakim, the Speaker of the second assembly, that while he initially appeared to have dissociated himself from party politics, he became involved subsequently and, ominously, came to be regarded by each contending party as aligning himself with the other in changing circumstances. 'Although none of the parties had any regard for him, yet they utilised him for their own purpose, just as he also tried to exploit the differences existing between the rival groups' was the observation made by the Asir Commission.<sup>2</sup> It has to be admitted of course that Speaker Abdul Hakim was exposed to conditions of multi-party politics which did not prevail in the first assembly. The second assembly certainly required a stronger personality with a keener appreciation of the values of his role, as its Speaker.

In a ruling in September 1956 the Speaker maintained that the deputy speaker as an officer of the legislature could not take part in any walk-out from the chamber. The matter had been raised in a point of order by a member after deputy speaker Shahed Ali, then a member of the KSP which was in opposition, had

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1. Ibid., Apr. 23, 1953.

2. See, p. 665 of the Report of the Commission.

walked out with the rest of the opposition. The Speaker noted in his ruling that in case of a deputy speaker of the assembly 'there is a partial, though not total, effacement of party affiliation'. He then posed the problem that in case the leader of the party, to which the deputy speaker belonged, decided to stage a walk-out while he was presiding over the House, should he then 'vacate his chair and follow suit'? On the particular day when the walk-out had been staged, two of the four members from the panel of chairmen, the Speaker noted, had also participated in the walk-out while two had been absent. In such circumstances, a deadlock would have been created if the Speaker, who had been ailing for some time 'could not continue to conduct the proceedings on medical ground and required the service of some authorised person'. Neither the 1956 constitution nor the procedural rules made provision for any contingency when the House might find itself without a presiding officer. But, the Speaker observed, while the deputy speaker could not take part in a walk-out, he was entitled to record his vote in the assembly.<sup>1</sup>

#### 8. The Governor.

The Provincial Legislature consisted of the Governor and the assembly.<sup>2</sup> Bills passed by the assembly required the

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1. EPAP, vol.XV, no.2, pp.65,153-8.

2. Section 60, Govt. of India Act 1935, as adapted; article 76, Constitution of 1956. The text above on the Governor's relation with the assembly and his powers and functions in this regard are based on the Govt. of India Act 1935 as amended on the authority of Pakistan (Provisional Constitution) Order, 1947, in Unrepealed Constitutional Legislation (as modified up to 26th April 1951), Govt. of Pakistan, Ministry of Law; and, the Constitution of the Islamic Republic of Pakistan, 1956. The term 'constitution' in the text above unless specifically mentioned as that of 1956, would refer to the existing constitutional laws.

assent of the Governor to become laws. But the Governor could not withhold his assent to the extent of vetoing bills passed by the assembly under the constitution and the scope of his action was limited to a delaying or modifying influence.<sup>1</sup> Bills of certain kinds, particularly money bills, could be moved for introduction in the assembly only with the recommendation of the Governor. The Governor caused the budget to be laid before the assembly, and demands for grants were moved on his recommendation.<sup>2</sup> He enjoyed some legislative power in the sense that he could promulgate ordinances, under the constitution, when the assembly was not in session. The Governor could address or send messages to the assembly.

As head of the executive in the provincial sphere, his contact with the cabinet was more direct, but unlike the pre-independence period, his powers and functions were limited. He was generally to act under the advice of his cabinet. However, under the Govt. of India Act 1935 as adapted, he enjoyed discretionary powers in the appointment and dismissal of his council of ministers. In the exercise of this function he was to be under 'the general control of and comply with such particular directions, if any, as may from time to time be given to him by the Governor-General'.<sup>3</sup> The constitution of 1956 removed this 'general control' of the centre and limited the

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1. Section 75, Govt. of India Act 1935 as adapted; article 90, constitution of 1956. Also see Chapter V, pp. 340-41 below.
  2. Section 78(1), 79, 82(3), Govt. of India Act 1935 as adapted; article 92, 96(1), 98(3), constitution of 1956.
  3. Section 51(5), Govt. of India Act 1935 as adapted.

discretionary power of the Governor. He was to appoint in his discretion a chief minister who in his opinion was most likely to command the confidence of the majority of members of the assembly. The Governor could exercise his power of dismissal when he was satisfied that the chief minister did not command such confidence.<sup>1</sup> Clearly, in both circumstances, the Governor could exercise considerable influence if political alignments were uncertain and the majorities unstable. The centre could, through the Governor, exert influence on provincial politics, because the Governor was appointed to his office by the Governor-General/President, and held office during his pleasure.<sup>2</sup> Under emergency provisions, however, both the scope of the Governor's powers and the extent of the centre's control increased considerably.<sup>3</sup>

The constitutional position of the Governor was that of a titular executive in a parliamentary form of government. However, the exercise of the Governor's powers and position and the interpretation given to them, were likely to be conditioned by the incumbent's orientation and disposition, his career and the extent of his involvement in politics, and the composition and trend of provincial and national politics. Thus, it is through his accord or discord with the cabinet of the day, his role in ministry-making and his involvement in

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1. Article 71, constitution of 1956.

2. The constitution of 1956 further laid down that subject to this and other specified provisions, the Governor was to hold office for a period of five years. Also see, Callard, Political Study, pp. 170-2.

3. For details of emergency provisions, see, section 92A of the Govt. of India Act 1935 as adapted and articles 191-194 of the constitution of 1956.

party politics that his political influence could be felt in the assembly. It would appear that the relation between Sir Frederick Bourne (1947-50), the first Governor of the province<sup>1</sup> and his chief minister Khwaja Nazimuddin and the latter's successor Nurul Amin was based on mutual understanding of the constitutional role of the Governor under the Independence Act. The Governor, nevertheless, seemed well-aware of the political landscape of the province as his comment on Suhrawardy and the provincial Muslim League parliamentary party would indicate.<sup>2</sup> Sir Frederick Bourne's successors Feroz Khan Noon (1950-53) and Choudhry Khaliquzzaman (1953-54) were both political personalities and were associated with the Muslim League which was in power in both the centre and the province. Noon, a member of the Constituent Assembly from Punjab,<sup>3</sup> claimed to have enjoyed as Governor the full confidence of the prime minister at the centre which he thought was 'essential for this particular post of Governor of East Pakistan, which is physically so far removed from the Centre'. There was no suggestion that his relation with the provincial cabinet was in any way strained.<sup>4</sup> Originally from the UP in India, Choudhry Khaliquzzaman played an important role as organiser of the Muslim League in Pakistan after independence. There are reasons to believe that as Governor his

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1. Sir Frederick Bourne, a member of the former ICS, had briefly held the office of Governor in Assam and the Central Provinces before independence.
  2. Sir Frederick Bourne, 'Constitutional Governors Before and After the Transfer of Power', The Asiatic Review, vol. XLVI, no. 168 (October, 1950) pp. 1111-8.
  3. Callard, Political Study, pp. 25, 81.
  4. The above is based on Feroz Khan Noon, From Memory (3rd ed.; Lahore: Feroz Sons Ltd., 1969), pp. 224-34. However, the somewhat brief account does not throw sufficient light on his relationship with the government and his cabinet.

relation with the provincial cabinet was likely to have been based on mutual approbation.<sup>1</sup> Several factors need to be underlined here. During 1947 to 1954, in course of the first assembly, the ML had an overwhelming majority in the assembly, and its leadership continued virtually unchallenged. This leadership was supported by the League leadership at the centre and in fact formed an important part of it.<sup>2</sup> The circumstances changed after the election of March 1954. When commissioned to form the government, the leader of the UF, A.K. Fazlul Huq, appeared not to be keen to include members from the AL in the cabinet on the latter's terms and seemed disposed towards delaying the completion of a full cabinet till the negotiations, into which he now entered with the AL leadership, were concluded to his satisfaction. Shaheed Subrawardy, the AL leader, suspected a possible entente between Huq and the ML Prime Minister at the centre. He accused the Governor, who had remained at the federal capital for a somewhat extended period, of facilitating such move by keeping himself away from the provincial capital at a juncture when an agreed list of prospective ministers might be ready any time for installation in office by him.<sup>3</sup>

Choudhry Khaliquzzaman was replaced by Major-General Iskander Mirza as Governor of the province when cabinet was dismissed and parliamentary government suspended at the end of May 1954. The period up to June 1955 need not be of direct

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1. See Chapter II, pp.134-5 below.

2. For further discussion on this, see Chapter II, pp.74-142.

3. Dawn, Apr. 23, 1954.



concern here as the province was administered by the Governor under section 92A of the Govt. of India Act as adapted. However, two points could be briefly made here. Firstly, it could be reasonably inferred from Mirza's subsequent role as President of Pakistan that had the legislature been functioning Mirza would not have fitted into the role of a constitutional Governor.<sup>1</sup> Secondly, in June 1955 Governor Mohammad Shahabuddin<sup>2</sup> resigned from office reportedly over his disagreement with prime minister Mohammad Ali on the installation of a UF ministry in the province when section 92A was withdrawn. The Governor was reported to have favoured a coalition of the UF and AL.<sup>3</sup>

Fazlul Huq, leader of the UF and a central minister at the time, was appointed Governor in March 1956 when the constitution of 1956 came into operation. While during this period Huq was not the official leader of his party, he maintained his political links and remained, as it were, the de facto leader of the party. As Governor he apparently took a more positive part in government decisions. Perhaps a few examples would suffice. Shortly after being sworn in as Governor, FazlulHuq on his initiative called a meeting of the cabinet to a working dinner as his letter to the chief minister explains,

As days go on, I am confronted with problems of various kinds which, I think, deserve the immediate attention of Government. I know your varied occupations and the paucity of anything like leisure, but there are certain matters which have got to

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1. For comments on Mirza as President, see Chapter IV, pp.307-9 below.
  2. See, footnote 1, p. 63.
  3. Ibid., June 5-13, 1955.

be discussed and upon which decisions have got to be taken, as otherwise, no tangible improvement can be expected in the tone of the administration. In order to have a full discussion with your Cabinet, I have asked your Cabinet Ministers to have a private dinner tomorrow evening, so that we may have a free discussion with all the members of Government.

2. It is not possible to formulate exactly what will be the subjects under discussion, but I can only give you an idea that they will embrace not merely the present departmental functions of Government, but also new additions to your departmental activities, so as to embrace all schemes for the development of the province ... I want to discuss the question of Primary Schools in large numbers, increased grants to High Schools, the question of drafting a Bill for the compulsory imposition of Zakat ... and many other legislative measures. I hope you will make it convenient to attend.

3. I am inviting all your Cabinet Ministers, and I intend to send a copy of this letter to each Minister ... 1

When the legislature assembled for its first session under the constitution of 1956 on May 22, the Governor sent his 'sincere and respectful greetings' through the Speaker. By now, the creditability of the UF coalition government had sunk to a low ebb and its strength in the assembly had considerably declined. Under the circumstances, the Governor's 'fervent appeal', in the message, to members 'to forget personal feelings against one another and against any particular party', his reference to 'the seriousness of the situation in East Pakistan owing to the possibilities of Flood and Famine' and his earnest prayer to all his 'brothers and sisters in the Assembly to help me and my Government to save our dear Pakistan from all possible disasters', could be taken to have political undertones.<sup>2</sup>

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1. Copy of letter of A.K. Fazlul Huq, Governor, dated Apr. 11, 1956 to the chief minister, forwarded to Syed Azizul Huq, a member of the cabinet, with a personal note dated Apr. 12, 1956, to the latter, were made available to the present writer by Syed Azizul Huq.

2. The opposition was unsuccessful in its attempts to have a discussion on the message. EPAP, vol. XIII, pp. 15-17. This was the only instance of a message, excluding in connection with legislative procedure, from the Governor to the assembly. The UF coalition government during 1955-56 was led by Huq's party the KSP.

When on August 13, 1956 the assembly was prorogued before it could meet, it was suggested in some quarters that the chief minister's 'advice' of prorogation had in fact been 'extorted' by the Governor with a view to save the government which was led by his party.<sup>1</sup> During 1957, Fazlul Huq was said to have encouraged the move for a coalition between his party, the KSP and the ruling AL, which however ultimately did not materialise.<sup>2</sup> During the budget session of 1958 Huq refused to comply with the somewhat sudden advice of prorogation by chief minister Ataur Rahman Khan. The Governor interpreted the request as a move by the chief minister to avoid any further test of strength due to apprehensions as to his majority. He exercised his discretionary power to dismiss the cabinet and appoint Abu Hossain Sarkar of KSP, who was the leader of opposition, as chief minister. However, the fact that he was ready to prorogue the legislature immediately on the advice of his newly appointed chief minister was a vivid indication of his involvement in party politics. But the AL was in a position to pressure the central government to dismiss Governor Fazlul Huq and bring back the AL coalition to power. The acting Governor, the chief secretary of the province, after being sworn in dismissed Sarkar and commissioned Ataur Rahman Khan to form the cabinet.<sup>3</sup> In August 1958 at the end of two months of Governor's rule, the Governor was directed by the centre to ascertain and report on the political alignments

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1. Dawn, Aug. 16, 1956.

2. See Chapter IV, pp. 263-4 below.

3. For political developments of this period, see Chapter IV, pp. 291-4 below.

in the assembly with a view to bring back parliamentary government. After 'physical demonstration' by the parties, Governor Sultanuddin Ahmed reported the AL coalition to have a majority of four, while the political alignment of six members of the assembly remained undecided or unascertained.

The relatively frequent change of Governors<sup>1</sup> during 1954-58 indicates that the office of the Governor, to a large extent, became a part of the fluctuating political process in the province resulting from uncertain political composition in the provincial assembly and the political determinants in centre-province relations.

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1. The following held the office of Governor of the province during August 1947 to September 1958:

Sir Frederick Bourne (1947-50)  
 Feroz Khan Noon (1950-53)  
 Choudhry Khaliquzzaman (1953-54)  
 Major-General Iskander Mirza (May-Oct. 1954)  
 (Chief Justice) Thomas Ellis (1954, acting)  
 Mohammad Shahabuddin (1955)  
 (Chief Justice) Amiruddin Ahmad (1955-56, acting)  
 A.K. Fazlul Huq (1956-58)  
 (Chief Secretary) Hamid Ali (1958, acting)  
 Sultanuddin Ahmed (1958)

The list of acting Governors may not be exhaustive.

## CHAPTER II

### POLITICS OF FIRST ASSEMBLY

#### 1. The Muslim League in Pakistan, 1947-48, and the reorganisation of the League in East Pakistan, 1948.

With the creation of Pakistan in 1947, the League's objective was realized.<sup>1</sup> Moreover, the division of the sub-continent entailed a division of the League organisation itself and placed it in completely different roles in the two states. The All-India Muslim League council met accordingly at Karachi on December 14, 1947, for the first time after independence, to decide about the future of the organisation in Pakistan and India.<sup>2</sup>

There reportedly were three different views in the council as to the future of the League. One view, advocating for the continuation of the League in Pakistan while providing for a non-communal League in India was supported only by a small minority. A second view, that the Muslim League in both Pakistan and India should be dissolved in favour of a non-communal organisation to be styled as the 'National League',

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1. The Lahore resolution of 1940 was incorporated as an 'aim and object' in the All-India Muslim League constitution in its Madras session in 1941. See Syed Sharifuddin Pirzada, The Pakistan Resolution and the Historic Lahore Session (Karachi: Pakistan Publications, 1968), pp. 64-65.

2. A Bengali critic of the All-India League leadership and of League politics in Pakistan, wrote in a critical vein,

With independence another problem arose. What is to be done with the Muslim League?

The Muslim League staged the Pakistan movement, it achieved Pakistan; now what is to be done with it?

Is it to be sent to the museum, or turned into a mummy, or is it to be brought back to life with a dose of elixir and used again after some renovations?

Ataur Rahman Khan, op.cit., p. 25. Exact translation from original Bengali was not possible.

enjoyed particular support among members from India and some, described as 'progressive', members from Pakistan. But the League leadership was not favourably inclined to the view<sup>1</sup> for it was apprehended that such a course might lead to the control of the organisation in future by the 'redshirts' of the NWFP and the 'progressive elements' of East Pakistan. The third view, held by the League leadership, was against the dissolution of the League and opposed to turning it into a non-communal organisation. The supporters of this view were identified as 'conservatives from East and West Pakistan'. From East Pakistan, Maulana Akram Khan, the President, and Habibullah Bahar Chowdhury, the Secretary, of the Bengal Provincial League were said to have been strong advocates of this view.<sup>2</sup> It was later reported that Jinnah himself was opposed to turning the League into a non-communal body

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1. In the first week of December at Dacca, the working committee of the Bengal Muslim League in a resolution criticised the proposed move to disband the Muslim League. The working committee of the AIML, meeting at Karachi before the council session, reportedly discussed the future of the League. It was reported, however, that the working committee did not take into consideration any proposal for a Pakistan National League. See, Azad, Dec. 7, 15, 1947.
  2. The above is based on reports appearing in the Azad on Dec. 13-17, 1947 and in particular that of the staff reporter on Dec. 14, 1947. Note may be taken of the fact that the League leadership was identified as the conservative (the Bengali word used was বঙ্গদেশী ) section of the party. It may be mentioned here that the only available Pakistani newspaper for the period 1947-48 was the Bengali daily Azad which belonged to Akram Khan. This has been sought to be supplemented by the Statesman (Calcutta).



at that particular time.<sup>1</sup>

In 'closed door' meetings at its two-day session, the council decided to separate the All-India Muslim League into Pakistan Muslim League and Indian Muslim League on the lines of the geographical boundaries of the two countries. It appointed two convenors to call the next council sessions in their respective countries to elect office bearers and to frame constitutions.<sup>2</sup>

The Pakistan Muslim League council accordingly met in the last week of February, 1948. In this session (held, like the previous session, behind 'closed doors'), the council took two significant steps. It framed a constitution and decided to dissolve the existing party organisation in order to reorganise

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1. The following news-item appeared in Azad on Dec.23,1947,

In a statement Quaid-e-Azam Jinnah has said that the time has not yet come to open the Pakistan Muslim League to all. But he has also hinted that the matter may be considered anew in due time. .... The primary task before Pakistan is the framing of a constitution and until the inauguration of the new constitution, the League must bear its organisational responsibilities. Therefore there is reasonable ground to defer the proposal to accept all irrespective of religion into the League. (Translation from original Bengali.)

The above leads to speculations whether he had in mind that some steps would be taken in this direction after the country received its constitution and if he thought in terms of the very near future. Jinnah was said to have observed on one occasion that the framing of the constitution 'is a stupendous task and it may take eighteen months to two years before it can come into full operation'. (As quoted in Herbert Feldman, A Constitution for Pakistan (London: Oxford University Press, (1955) ), p. 8.)

2. The council also took other organisational decisions concerning the primary and council memberships of the League in India and Pakistan, the role of the AIML central parliamentary board till the framing of new constitutions and the procedure of election etc. of a combined ad hoc committee to divide assets and liabilities of the AIML between the two organisations. Azad, Dec. 16, 17, 1947.

it with fresh enrolment of membership.<sup>1</sup>

The new constitution followed the pattern of the organisational structure of the former AIML. It provided for a convention, a council and a working committee, the Provincial Muslim Leagues and district and city Leagues. The most significant feature, however, was that it debarred the office bearers of the organisation from holding offices in the government.<sup>2</sup> With the responsibilities of the government at both provincial and national levels, it now became necessary to determine the relationship between the organisation and the government. It may be noted that between 1937 to 1947, when the Muslim League was in power in Bengal on three different occasions, the principle of separation of the government and organisational offices somewhat came to be recognised outside the BML constitution. In November, 1943 Shaheed Suhrawardy resigned from the office of secretary of the BML after he was appointed a minister when the Muslim League came back to power earlier in the year, because, as he said,

The responsibilities of office in another field have brought home to us that it is not possible to do both the functions satisfactorily. One has to be sacrificed for the other and as both are important it is not possible for one person to occupy both the posts.<sup>3</sup>

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1. Ibid., Feb. 23, 27, 1948; Statesman, Feb. 23, 26-27, 1948.
  2. Azad, Feb. 27, Mar. 8; May 15, 1948; for 'aims and objects' of the League, see, ibid., Mar. 23, May 15, 1948; also for a brief summary of the constitutional provisions, see Gamal-eddine Heyworth-Dunne, Pakistan : The Birth of a New Muslim State (Cairo : Renaissance Bookshop, 1952), pp. 75-77. Jinnah in this session resigned from the office of the President. Heyworth-Dunne has disclosed that Jinnah himself turned down a suggestion made by the Pir Saheb of Manki Sharif (a NWFP Leaguer who subsequently left the organisation) that an exception to this principle be made for Jinnah only.
  3. Report of the outgoing Secretary in Proceedings of the Annual Meeting of the Council of Bengal Provincial Muslim League, November 1943.

It is not known if the League's participation in the government at the All-India level in 1946 under the Cabinet Mission Plan, occasioned any discussion within the party as to the principle of separation or amalgamation of the party and the government offices.<sup>1</sup> In so far as Jinnah himself remained outside the government, it may be suggested that the highest organisational leadership was deliberately kept distinct from and above the government.<sup>2</sup> Now, under the constitution of 1948, the principle of separation of offices of the government and party was clearly recognised.<sup>3</sup>

The effect of the decision to dissolve the PML taken in the council session of February, 1948, was that except for the Muslim League parties in the legislatures, the entire organisational structure went out of existence and all primary memberships stood cancelled. The process of reorganisation thus involved fresh enrolment of primary members and the reconstitution

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1. For a review and analysis of political developments which followed the Cabinet Mission Plan and of the events leading to the League's joining the interim cabinet, see Ishtiaq Husain Qureshi, The Struggle for Pakistan (Karachi: University of Karachi, 1965) pp. 258-85. It may be noted that three of the five Muslim League nominees were members of the AIML working committee, while one, Jogendra Nath Mondal from Bengal, was not a member of the League. See Khalid Bin Sayeed, Pakistan: The Formative Phase (Karachi: Pakistan Publishing House, 1960), pp. 171-2, 203-4. Stanley A. Kochanek has recorded that the working committee of the Indian National Congress discussed the matter when Nehru, the President of the organisation, was asked by the Viceroy to form an interim government. See, The Congress Party of India: The Dynamics of One-Party Democracy (Princeton, New Jersey: Princeton University Press, 1968), pp. 4-5.
  2. For Callard's comment on Jinnah's decision to let Liaquat Ali Khan lead the Muslim Group in the interim government, see, Political Study, p. 20.
  3. It has been suggested elsewhere that the decision to keep the government and party offices separate was taken 'somewhat spitefully' by those Leaguers who were not in power in the government at the time. D.N. Banerjee, East Pakistan: A Case Study in Muslim Politics (Delhi: Vikas Publications, 1969), p. 52. For further comments on the implications of separation of offices, see Leonard Binder, Religion and Politics in Pakistan (Berkeley and Los Angeles: University of California Press, 1961), pp. 125-9.

of the organisation from primary, sub-divisional and district Leagues (ward and city Leagues where the prescribed conditions for city Leagues prevailed) to the provincial councils and finally the PML council and the working committee.<sup>1</sup> Undoubtedly, independence and the partition of the subcontinent had produced some grave dislocations within the organisation itself. The provincial Muslim Leagues of the two largest provinces, Punjab and Bengal, had in effect been partitioned. Those primary members of the AIML who migrated to Pakistan were left without any control over the party machinery in Pakistan.<sup>2</sup> But it is difficult to see why it was thought that these organisational problems could not be coped with by the ordinary procedure of annual enrolment of members, election to the various offices of the party hierarchy and the reconstitution of only those local party organs which had been affected by partition. In so far as the somewhat diffused power within the party machinery as regards enrolment of members and election to various offices and organs was replaced by strict centralisation of direction and control, the process of reorganisation provided a convenient means to those in control to strengthen their own positions, to

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1. For example, see Constitution and Rules for the Eastern Pakistan Provincial Muslim League and its Branches, 1948; Notification of Choudhury Khaliquzzaman regarding reorganisation of PML, as published in Azad, Mar. 8, 1948.
  2. In December 1947, the council had also decided that all primary members of the AIML who became residents of, or settled in Pakistan should be deemed as primary members of the PML and that until the framing of a new constitution all members of the AIML council who similarly came to Pakistan should be deemed as members of the PML council. (Azad, Dec. 16, 1947). It may thus be presumed that these primary members initially found the party organisations at various levels under the control of the local residents and that the council members, their political bases having been left behind in India, also felt equally ineffective.

favour certain sections and groups within the organisation and to weed out oppositional elements. In East Bengal it gave rise to allegations of discriminations and partisan considerations.

Choudhry Khaliquzzaman as organizer of the PML was faced with the problem of how to initiate the process of reorganisation at the provincial level. As he subsequently explained,

The first alternative was to entrust the Muslim League Assembly Party which was functioning and was not affected by the dissolution of the Muslim League with the work of reorganization; but for various reasons I did not consider it proper to do it. The second alternative was to form Provincial Committees; but this again involved the danger of raising questions of majority and minority and thus defeating the objective. The third was to appoint those, as Organizers, who were office-bearers of the Muslim League up to the 26th February, 1948, and but for the dissolution of the All-Pakistan Muslim League and its branches on that date would have been initially responsible for the Muslim League elections in their province. I adopted this method as I thought it to be most appropriate and feasible and appointed the ex-Presidents and Secretaries to re-organize the Muslim League in their respective Provinces. 1

In case of East Bengal, however, Choudhry Khaliquzzaman on being approached by Maulana Akram Khan, the ex-President of BML, authorised him to nominate an organising committee for his assistance on condition that Akram Khan alone remained responsible to him.<sup>2</sup> It is interesting to note that seven of

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1. Report of the Organizer of Pakistan Muslim League, (1949).

2. In his Report Choudhry Khaliquzzaman disclosed that Akram Khan had requested the assistance of a committee due to his inability, because of personal reasons, to undertake tours etc. all over the province which the reorganisation process would entail. Also see, for Akram Khan's statements to the press in this connection, Azad, Mar. 5, 1948.

his nine nominees of the provincial organising committee were members of the East Bengal legislature and two of them were members of the provincial cabinet (a third joined the cabinet shortly afterwards).<sup>1</sup> Thus, Khaliquzzaman's resolve not to associate the Muslim League assembly party with the reorganisation process was somewhat undermined. Some explanations, however, may be offered. Akram Khan was closely associated with the leadership of the assembly party. A member of the Bengal Legislative Council for almost a decade before independence, he was also likely to have had close ties with members of legislature. Besides most of the members that he nominated were also active in the BML council.

Organising committees at district and sub-divisional levels were nominated by Akram Khan in the first week of May and receipt books for enrolment of primary members were distributed.<sup>2</sup> By July, the primary and sub-divisional Leagues were duly constituted. The formation of more than one district League in a single district was reported from several districts; some of these accordingly had to be dissolved; in some other cases their elections were declared invalid and fresh elections held.<sup>3</sup>

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1. The members were Nurul Amin, Dr. A. Malek, Munawwar Ali, Habibullah Bahar Chowdhury, Abdullahel Baqui, Ahmad Hossain, Asadullah, Yusuf Ali Chowdhury and Akramullah. (Azad., Mar. 31, 1948). It may be noted that among the members, a fairly wide district-wise distribution was maintained.
  2. Ibid, May 2, 3, 1948. Also see the editorial on May 3. Under the League constitution the qualifications for primary membership were that the candidate must be (a) a Muslim, (b) citizen of Pakistan and (c) 18 years of age. He then became member on payment of an advance annual subscription of two annas and on signing a declaration that he agreed with the 'aims and objects' of the League and would abide by its rules. The annual subscription of two annas was replaced by a triennial subscription of two annas in 1952. A fourth qualification was added to the effect that a candidate must not be a member of any other political organisation declared as such by the working committee of the PML. See ibid., May 15, 1948; Pakistan Observer (Dacca), Dec. 29, 1949; Constitution of the East Pakistan Provincial Muslim League, 1952.
  3. For example, see Azad, July 5, Aug. 13, Sep. 2, 1948.



However, finally the newly elected council of the provincial League met at the end of October to elect the office-bearers. Akram Khan, the organiser of the EPML and Yusuf Ali Chowdhury, the general secretary of the provincial organising committee, were elected unopposed as the President and general secretary of the party respectively. Abdullahel Baqui, a member of the provincial organising committee, and S.A.Salim, who subsequently joined the provincial cabinet, were also elected unopposed as the vice-president and the treasurer of EPML. Contests took place for the posts of joint secretaries and Asadullah (another member of the organising committee) and Shah Azizur Rahman were duly elected. The President announced his nominations to the working committee in November.<sup>1</sup> The reorganisation of the Muslim League in East Pakistan was complete.

But the process of reorganisation gave rise to serious dissatisfaction within League ranks, disappointed many erstwhile League workers and largely contributed to the formation by these former Leaguers, of an opposition party, the Awami Muslim League, the following year. It was felt that the reorganisation was conducted in a manner calculated to strengthen and consolidate the hold of the existing leadership over the organisation. The power of nomination of district and sub-divisional committees for enrolling primary members and constituting the League units at those levels indeed gave the provincial organising committee headed by Akram Khan tremendous scope to exert influence over the entire reorganisation process. Distribution of a very

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1. Ibid., Oct. 31, Nov. 1, 4, 27, 1948. The council in this session also elected members to the PML council which met at Karachi in February 1949. There Choudhry Khaliquzzaman and Abdullahel Baqui were elected unopposed as the President and vice-president of the PML.

limited number of receipt books to these committees for enrolment purposes restricted the size of the party<sup>1</sup> and greatly reduced the scope of large scale entry of critical or oppositional elements into the organisation. The reorganisation policy in a way demonstrated the limitations of the political style of those in power. The inclination was towards coterie politics rather than open competitive politics which required greater resourcefulness and political skill. It was also an utterly short-sighted policy, in view of adult franchise which was certain to follow, not to attempt to broaden the mass base of the party at that initial stage when it was indeed most favourably placed to do so.<sup>2</sup>

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1. The enrolment figures for the provinces were:

West Punjab	-	11,83,593
East Bengal	-	5,00,000
NWFP	-	4,89,000
Sind	-	3,00,000
Baluchistan	-	1,25,000

(Report of the Organizer of Pakistan Muslim League (1949)). The size of the EPML membership must be assessed in the light of two facts. According to the Census of 1951, East Pakistan had 55.5 per cent of the total population of Pakistan. (Census of Pakistan, vol. 1, p. 27). As early as 1944, in a Report of the BML, the strength of primary members of the districts which came to be in East Pakistan (i.e. falling under Rajshahi, Dacca and Chittagong Divisions), for which figures were available, was claimed to be about 5,20,000 (Council of the Bengal Provincial Muslim League. Report of the Secretary. 1944). Shortage of paper and inadequacy of printing facilities were officially put forward as reasons for limited supply of receipt books. The following year, it was reported in July that an estimated 50,00,000 receipts for enrolment of primary members had been printed. Enrolment was originally due to be completed by November that year but in fact dragged on almost to the end of 1950. (Pakistan Observer, July 25, 1949; Azad, Oct. 3, 30, 1949, June 8, 13, 1950). The exact figure enrolled is not known.

2. On the attitude of the Indian Congress Party in this regard see Morris-Jones, Parliament, p.170; Myron Weiner, 'The Politics of South Asia' in Gabriel A. Almond and James S. Coleman ed., The Politics of the Developing Areas (Princeton, New Jersey: Princeton University Press, 1960), pp.198-200.

2. The nature of party unity in the assembly - the case of the EPML.

I Background.

The internal politics of the Bengal Muslim League on the eve of independence has been recorded elsewhere.<sup>1</sup> It may only be noted here that within the League at this period, before the 1946 election, could be distinguished two main factions: the League President Akram Khan and leader of the assembly party Khwaja Nazimuddin were in one, and the deputy leader of the assembly party Shaheed Suhrawardy and secretary of the BML, Abul Hashim in another. Two further points of note were that Khwaja Nazimuddin and Akram Khan were believed to have been on good terms with the central League leadership, while Suhrawardy and Hashim, the two successive party secretaries were likely to have closer contact with and hold over the Bengal League organisation itself.<sup>2</sup> Suhrawardy and Hashim came

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1. M.A.H. Ispahani's book Qaid-e-Azam Jinnah As I Knew Him (Karachi: Forward Publications Trust, 1966) written with the first hand knowledge of one who was directly involved (as a member of the All-India Muslim League working-committee and the BLA, as BML office-bearer, and most significant of all, as his own words reveal, as a link between Jinnah and the BML) suffers from a certain lack of detachment exactly for the same reason. Though not as directly involved himself, Kamruddin Ahmad in his book, The Social History of East Pakistan (2nd ed.; Dacca: Pioneer Press, 1969) clearly reveals where his sympathies lay. Reading the two books gives one the two sides of the picture as it were. Choudhry Khaliquzzaman's Pathway to Pakistan (Lahore: Longmans Green & Co. Ltd., 1961) towards the end gives glimpses into the troubles of the BML as seen by one from the central League leadership.

The brief account in the text is mainly based on these three sources.

2. Their years as secretary of the organisation in fact witnessed great organisational drives and activities within the League. See, for example, Proceedings of the Annual Meeting of the Council of Bengal Provincial Muslim League, 1943; Council of the Bengal Provincial Muslim League, Report of the Secretary, 1944.

from West Bengal. Nazimuddin's political base was in East Bengal. It was the former group which gained control of the Bengal League parliamentary board, which gave them the power to select the Muslim League nominees for the election of 1946. But their success was largely offset when Nazimuddin, who expressed his desire not to contest in the election, got a sizeable bloc of supporters nominated by the board and subsequently the central parliamentary board awarded some fresh nominations on appeals against nominations of the provincial board. Thus the Bengal Muslim League party that went to the polls was more or less evenly balanced between the two groups. Suhrawardy encountered almost immediate opposition within the parliamentary party in the newly elected assembly from a section of East Bengali members and supporters of Nazimuddin.<sup>1</sup> The central League leadership was ultimately prevailed upon to provide for the election of a party leader for the East Bengal assembly, on August 5, 1947. With the election of Nazimuddin, power effectively passed from one group to the other.<sup>2</sup>

## II Nature of party unity in the assembly.

The two main features of the political composition of the first assembly were that all the Muslim members belonged

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1. It was stated by Yusuf Ali Chowdhury, a member of this group, in course of an interview with the present writer in April, 1969, that one of the reasons for opposition was that the group had been neglected by Suhrawardy in matters of parliamentary appointments.
  2. None of the members of the Suhrawardy cabinet (for list, see, Statesman, Apr. 23, 1946) were taken in the government formed by Nazimuddin in East Bengal. In the East Bengal assembly, the government often spoke of the policies of Suhrawardy's Muslim League ministry of undivided Bengal in critical terms.

to the Muslim League when it first met<sup>1</sup> and that the opposition consisted solely of Hindu members, most of whom belonged to the Congress. The League remained in power during the lifetime of the first assembly, from 1947 to 1954. During this period it sustained no major defection from its ranks and provided a stable government in the province. The absence of any serious threat to party solidarity was also evident by the fact that during these years, there was no major change in the cabinet that was formed at the time of independence.<sup>2</sup> At the end of the last session of the assembly, the leader of the parliamentary party of the Muslim League praised 'the high standard of party discipline' showed by members of his party, and said,

There has not been any occasion on my part to be worried about the members of the Government Party as was the practice in Undivided Bengal. Here they behaved like a disciplined army .... 3

Indeed the apparent party unity was remarkable in view of the fact that in undivided Bengal legislature as well as in the second assembly in East Bengal, Muslim members had never been

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1. The first meeting of the parliamentary party after independence was reportedly attended by 100 out of the total 118 members. See, Azad, Dec.22, 1947.
  2. The first three-man cabinet of Khwaja Nazimuddin, Nurul Amin and Hamidul Huq Chowdhury, was expanded to seven to include Abdul Hamid, Hassan Ali, S.M.Afzal and Habibullah Bahar Chowdhury, in September, 1947. Subsequent additions were - Tafazzal Ali, Dr. A.M.Malek and Mafizuddin Ahmed (May, 1948); S.A.Salim (Oct., 1949); Hamiduddin Ahmed and D.N.Barori (June, 1950). The departures were - Khwaja Nazimuddin (Sep.1948 - Governor-General of Pakistan), Dr.A.M.Malek (Oct., 1949 - central minister), Hamidul Huq Chowdhury (Dec., 1949 - resignation) Hamiddin Ahmed (Apr. 1953 - resignation on account of ill-health) and Tafazzal Ali (Dec. 1953 - central minister).
  3. EBLAP, vol. XI, no.2, p. 354.

united in a single party. In 1937 election they had entered the legislative assembly of Bengal in three different, but more or less equally balanced, groups - the Muslim League, the Krishak Proja Party and independents. Their subsequent history in the legislature had been one of mergers, splits, defections and alliances.<sup>1</sup> The United Front which captured the overwhelming majority of Muslim seats in the 1954 election to the East Bengal assembly disintegrated into component units soon after election; further splits occurred in the major parties and the pattern of pre-independence legislature was resumed. In the three provincial legislatures in West Pakistan the semblance of party unity broke down almost immediately after independence into discernible factional groups.<sup>2</sup> In contrast, the Muslim League party in East Bengal assembly did not suffer any comparable degree of factional strife or face any major split in its ranks; the leadership was able to successfully counter and contain factional tendencies.

The stability of parliamentary party was largely attributable to the success of the leadership in gaining control over the League immediately before independence in 1947. In a way the partition of Bengal played an important role in the League politics in East Bengal. It removed the West Bengal based Suhrawardy and Hashim from Muslim League politics - their constituencies being in West Bengal they now became members of the West Bengal Legislative Assembly. Their absence from the East Bengal assembly to a large extent accounted for the initial success of the League leadership in maintaining party solidarity.

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1. The above is based on the account of the proceedings of the Bengal Legislative Assembly and the statements and figures concerning the strength of various parties, in Indian Annual Register (Calcutta), 1937-43.

2. Mushtaq Ahmad, Government and Politics in Pakistan (2nd. ed.; Karachi: Pakistan Publishing House, 1963), pp.139-41.



Had Suhrawardy group been able to retain power in East Pakistan it is in any case a matter of conjecture as to how long they could have continued to do so. In India the comparable group - i.e. those from political bases in East Bengal who tried to build support in West Bengal - clearly failed and power in the West Bengal Congress Party went to the 'Hoogly group'.<sup>1</sup>

However, the first challenge to the leadership of the EPML parliamentary party came from members who had been associated with Suhrawardy before independence. It was claimed by them that the leadership did not enjoy the support of the majority in the parliamentary party.<sup>2</sup> In January 1948, fifteen members of the parliamentary party joined with a section of the Bengal League council members in a bid to requisition a meeting of the council to discuss, among other things, the working of the parliamentary party and administration and a vote of no-confidence against the League President.<sup>3</sup> When the legislature met for the first session in March in the atmosphere of general public unrest associated with the language movement, this group was quick to seize the opportunity to try

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1. Marcus F. Franda, 'West Bengal', Myron Weiner (ed.), State Politics in India (Princeton, New Jersey: Princeton University Press, 1968), pp. 274-5; Myron Weiner, Party Building in a New Nation: The Indian National Congress (Chicago: University of Chicago Press, 1967), p. 326.

It may be noted however that Akram Khan was himself from 24-Parganas in West Bengal. But his position also needs to be viewed in the light of his relation, through Azad, the paper which he started in the 'thirties, with the Muslim League on the one hand and with Muslim Bengal on the other. He shifted the Azad from Calcutta to Dacca shortly after independence in 1947.

2. Azad, Jan. 6, 9, 1948.
3. Ibid., Jan. 24, 1948. Under the EPML constitution, members belonging to EPML parliamentary party were ex-officio members of the council, provided they paid a certain subscription.

to discredit the government.<sup>1</sup> The significant point to note here was the government's success in absorbing the leading critics within the government. From February names of possible ministerial candidates were being mentioned in the press. It was hinted that the proposed enlargement of the cabinet was intended to remedy the internal conflicts within the party.<sup>2</sup> The leadership now successfully disarmed the opponents by completely identifying them with the government. Three ministerial and a couple of parliamentary appointments were made and one member was despatched with a diplomatic appointment.<sup>3</sup> The daily Azad commented in an editorial,

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1. For example, see EBLAP, vol.I, no.1, pp.11-15; vol.I, no.4, pp.151-2; vol.VII, p.97. According to Ayub Khan, chief minister Khwaja Nazimuddin told him at the time (then G.O.C. in East Bengal) that he had only a majority of four in the assembly. Mohammad Ali, 'then in Opposition', 'controlled five votes in the Assembly'. See, Mohammad Ayub Khan, Friends Not Masters : A Political Autobiography (Lahore: Oxford University Press, 1967), pp. 28-30.
  2. Azad, Feb. 18, Mar. 17, 1948.
  3. Ibid., Mar. 17, Apr. 19, May 4, 30, June 3, Nov.6, 1948. Mohammad Ali was appointed ambassador to Burma. It was mentioned by Nurul Amin (chief minister, 1948-54) and Yusuf Ali Chowdhury (secretary, EPML, 1948-52 and a member of the legislature) in course of separate interviews with the present writer that the offer was made by Jinnah to Mohammad Ali during the former's visit to East Pakistan, on the suggestion of Nazimuddin. Nazimuddin was of course correct in assuming that Mohammad Ali would not have the temerity or audacity, as indeed no other politician would, to decline an offer from Jinnah. The chief minister must have viewed Mohammad Ali's presence in the legislature with serious apprehensions. Both of them came from landed aristocratic backgrounds with traditions of political leadership in their families. Nazimuddin, the older of the two, began his political career in the Bengal Legislative Councils under dyarchy. Mohammad Ali entered parliamentary politics in 1937, served as Nazimuddin's parliamentary secretary when he formed Muslim League government in Bengal and later became finance minister in Suhrawardy cabinet in 1946. Mohammad Ali was known to have belonged to the Suhrawardy group.

The supporters and followers of the three newly appointed ministers were heard to complain inside and outside the legislature that the Nazem (Khawaja Nazimuddin) cabinet have failed to work up to the satisfaction of the people, that they have no plans and that at the present critical moment they have failed to work in co-operation with all. The enlargement of the cabinet has brought all arguments as to whether such complaints were true or false, to an end. Now all have got full opportunity and facility to work together.<sup>1</sup>

Most of the new members of government had been aligned with Suhrawardy before independence and had held public offices. Their acceptance of office emphasised the fluid nature of factionalism in East Bengal politics which became markedly manifest in the second assembly. It also tended to imply that the attitude of oppositionism was taken up to advance one's own political status.<sup>2</sup> When in course of a budget discussion, the government's appointment of fifteen parliamentary secretaries and other policies concerning general administration came under heavy criticism in the House, it was commented by a member, not perhaps without a certain amount of truth, 'I can see members' desire to become parliamentary secretaries peeping through all their big talk'.<sup>3</sup>

The government's ability to distribute power and patronage and the absence of the prospect of any other alternative

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1. May 29, 1948. (Translated from original Bengali).

2. In fact, the proceedings of the assembly revealed that the ministers (except D.N. Barori who was from SCF), some of the parliamentary secretaries and politicians turned diplomats had been extremely critical of the government as back-benchers in the assembly. Another notable example of conversion of role was the case of a member who moved from being as staunch a critic of government as a party member could possibly be, to taking the position of publicity secretary of the EPML and becoming a stout defender of government policies in the legislature.

3. EBLAP, vol. I, no. 1, p. 137. (Translated from original Bengali).

source helped, to a large extent, to sustain party unity. Nevertheless, expulsions, resignations and defections did take place. Some of these were occasional stray cases of individual resignations and there were also instances when the repentant rebel came back to the fold with an appropriate public statement expressing his re-discovered faith in the organisation.<sup>1</sup> It has also been observed that not all cases of public declarations of resignations were followed by actual submission of resignation letters to the parliamentary party.<sup>2</sup> After a member actually resigned from the parliamentary party or acted against the party in some way, he was usually given the chance to explain his conduct and show cause as to why he should not be expelled from the party. Unless a member was thought to be a liability to party discipline, his explanations were usually accepted and some attempt made to remove his grievances.<sup>3</sup>

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1. One typical example was that of a member who rejoined the League after a period of reported activities in the Awami League. In a statement announcing his decision to rejoin the League, he stated that he had earlier resigned from the League because it was becoming a 'pocket organisation'. He had then joined the Awami League, but soon discovered that it was a 'leaderless body without brain and without soul' which aimed at secularising East Pakistan and separating East Pakistan from Pakistan. In the circumstances he felt that the Muslim League was the 'only party which may be made to fulfil the national requirements if it is made thoroughly Islamic, democratic and universal'. (See, Dawn, Jan.12,1953).
  2. By Nurul Amin, leader of the parliamentary party 1948-54, to the present writer in course of interview in April, 1969. This tends to imply that it was thought wiser to have a public record for possible future advantage and yet enjoy the benefits of the government party for the time being.
  3. The above is based on interview of the present writer with Nurul Amin. (See, footnote 2 above). This is also borne out by the reports appearing in the Azad during the period on party inner politics.

However, there were three cases of group action which deserve explanation. The personal followers of Suhrawardy who were still opposed to the leadership got a chance to register their support of Suhrawardy when he stood as a candidate for the Constituent Assembly in 1949. In spite of the party's strong whip to vote for the League nominee, Suhrawardy secured 24 votes to the League candidate's 73.<sup>1</sup> The party took disciplinary action against three of them. They were expelled for having 'openly and actively' canvassed for the opponent of the League nominee.<sup>2</sup> In November, 1951, four members from the district of Chittagong resigned because of disagreement with certain government policies affecting their district.<sup>3</sup> It was stated that the members represented the views of the Chittagong district and city Muslim Leagues.<sup>4</sup> On this occasion the government took necessary steps to remove the dissatisfaction<sup>5</sup> and two of the members subsequently rejoined the party.<sup>6</sup> A third group of members resigned in protest against police firing during the

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1. Pakistan Observer, Apr. 7, 11, 15, July 10, 1949. The provincial legislatures served as electorates for members to the Constituent Assembly from the respective provinces. As representation was on communal lines, only the Muslim members voted when a Muslim seat was contested. Since the Muslim League was the only Muslim party there was normally only one candidate. Nomination by the central parliamentary board virtually secured the seat for the candidate. This was the first instance when the League candidate was opposed.
  2. Judgment of the Muslim League Tribunal, as reported in ibid., July 10, 1949.
  3. Azad, Nov. 9, 12, 1951; Dawn, Nov. 9, 12, 1951.
  4. EBLAP, vol. VI, no. 2, pp. 57-8.
  5. Ibid., vol. VIII, p. 196.
  6. Azad, June 5, Aug. 12, 1952.

language movement in February 1952. It was on this occasion that the Awami League group was formed in the assembly by dissident members.<sup>1</sup>

Comment has been made on the League's failure 'to develop enduring organisational loyalties'.<sup>2</sup> In the undivided Bengal Legislative Assembly, for example, the Muslim League strength was considerably depleted when Fazlul Huq and the Nawab of Dacca left to form the Progressive Coalition Party in 1941.<sup>3</sup> Again, the coming of Dr. Khan Saheb in politics and the birth of the Republican Party in the National Assembly and the provincial assembly of West Pakistan in 1956, drawing its membership from the ranks of the Muslim League is a case in point.<sup>4</sup> The Muslim League in East Pakistan assembly suffered a comparatively minor erosion. Over the years it lost the active support of roughly 17 to 20 members, who came to constitute the only Muslim opposition in the assembly. However, as the Constituent Assembly election result of 1949 indicated, there were more potential dissidents than the defections or movements of splinter groups tended to suggest. Two facets of Muslim League politics particularly need to be studied in this connection.

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1. The police firing took place on February 21. The following day the Speaker stated in the assembly that he had received a request from some members, who appeared to have elected their leader and secretary, to be given a 'separate block'. EBLAP, vol. VII, p. 90. Also see, Azad, Feb. 24, 1952. For some information on resignations on that occasion and later instances of rejoining the party, see, Azad, June 3, 1953; Dawn, Mar. 12, 18, 23, Oct. 24, 31, 1952.
  2. Myron Weiner, 'The Politics of South Asia', Almond and Coleman (ed.), op.cit., p. 195.
  3. Ispahani, op.cit., pp. 29-34. For an indication of the fluctuating strength of the party in the Bengal assembly during 1938-43, see, Indian Annual Register, 1938, vol. 1, p. xxv; 1940, vol. 1, p. 2; 1942, vol. 1, p. 2; 1943, vol. 1, p. 2.
  4. Ian Stephens, Pakistan (3rd ed.; London: Ernest Benn Limited, 1967), pp. 245-6; Callard, Political Study, pp. 64-5; Report of the Constitution Commission, Pakistan, 1961, p. 9.



It may be observed that those who were in a position to offer opposition to the leadership in the assembly, to unite seceding elements and attract potential dissidents from the ranks of the Muslim League, eventually found themselves outside the legislature in circumstances which may be seen as initiated or encouraged by those in power. Their departure from the parliamentary arena left the EPML leadership relatively secure in their hold over the parliamentary party. Secondly, it may be noted that the EPML leadership deliberately closed the doors of the assembly to all seeking entry. All Muslim members having started in the assembly as Muslim Leaguers back in 1947, the only way, except by defection of sitting members, for any opposition to grow in the assembly was through the process of by-elections which the government kept in almost total abeyance. In the light of these two considerations, the relatively high degree of party discipline and governmental stability and the virtual absence of organised Muslim opposition in the first assembly appear to have been somewhat artificially contrived.

These two features are discussed under III and IV, below.

Politics of the EPML in the first legislature also needs to be set against the background of the following: Muslim League attitude towards opposition, and the relationship of the EPML parliamentary party leadership with that of the party organisation, on the one hand, and with the central leadership, on the other. These have been examined in subsequent sections.

III The assembly 'purged' of potential Muslim opposition leaders.

It is indeed a remarkable phenomenon that those whose activities or past associations eminently fitted them to lead and organise any possible opposition to the leadership or the

ruling party in the legislature, ultimately found themselves outside the assembly. Three such instances may be noted which while varying in details, nevertheless, present a general pattern.<sup>1</sup> Association with the Muslim League (as in the cases of A.K.Fazlul Huq and Abdul Hamid Khan Bhashani) and a role in the factional struggle in the BML at the time of independence (as was the case with Hamidul Huq Chowdhury) ensured for these members a position of leadership in the assembly in the sense of having a certain personal following and the capability to mobilise support. When the assembly first met, these members were found in different roles. Fazlul Huq was outside the League leadership and in fact opposed to it at both parliamentary and organisational levels. Abdul Hamid Khan Bhashani, a new-comer to the assembly and less involved in the tangles of BML politics, took up the position of a critic of the policies of the government and the organisational leadership. Hamidul Huq Chowdhury was in the parliamentary leadership, a member of the three-man nucleus cabinet formed at the time of independence by Khwaja Nazimuddin. He held the important portfolios of finance, commerce and industries in the government.

It has been suggested that Fazlul Huq<sup>2</sup> extended his

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1. For another example, the reader may also note, p.79, f.n.3.
  2. Huq, whose association with the Muslim League was as old as the organisation itself, on occasions acted without it or against it. In 1942, he was expelled from the League for forming a Progressive Muslim League (see, Progressive Muslim League, Bengal, Constitution and Rules) while President of the BML. His antagonisms to Jinnah and the BML leadership during this period were public knowledge. Readmitted to the League after the elections in 1946, he presented himself as a candidate for BML Presidency that year when Akram Khan tendered his resignation (which was later withdrawn). Himself clearly out of the running for parliamentary leadership at the time, Huq wrote to his nephew S.A.Huq of the struggle for leadership on the eve of independence, 'It seems that Pahlwan (wrestler) Shaheed Suhrawardy and Pahlwan Sir Nazimuddin are going to enter the arena. A very enjoyable wrestling farce is imminent'. The letter, dated June 14, 1947, is quoted with the kind permission of S.A.Huq.

support to Nazimuddin at the time of independence, as a result of which his nephew S.M. Afzal was taken in the cabinet.<sup>1</sup> Shortly after independence, however, he claimed that the leadership did not enjoy the support of the majority in EPMLPP and warned that he would hold a conference of League members if the party leader caused any further delay in holding the first session of the assembly.<sup>2</sup> His contribution to the proceedings of the assembly was negligible - and hence, it is difficult to comment on his attitude to the government on the floor. But he was reportedly actively engaged in organising his own group in the assembly. Huq was publicly criticised by the PML President for his anti-League activities and for attempting to set up a parallel League.<sup>3</sup> He resigned from the parliamentary party of the EPML in 1949 in protest against what he described as 'lack of scope for criticism in the parliamentary party'.<sup>4</sup> Huq ultimately resigned his membership of the House to take up the post of advocate-general of the provincial government. A section of the press suggested that it was a political compromise.<sup>5</sup>

Abdul Hamid Khan Bhashani, who was elected to the legislature in 1948 through a by-election as a League candidate, was critical of the government's policies in the assembly. He

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1. B.D. Habibullah, Shere Bangla (Bengali) (3rd ed.; Barisal, East Bengal: Ashraf Press, (1962)), p. 125. Habibullah was a member of the second assembly.
  2. Azad, Nov. 6, 1947.
  3. Pakistan Observer, July 1, 17, 19, 1949.
  4. Azad, Aug. 29, 1949. He did not move out from the League in the Constituent Assembly till 1953. (Callard, Political Study, p. 85). It must be admitted that Huq's own actions during these years may be described best as ambivalent.
  5. Sainik (Dacca), No. 4, 1951.

was also opposed to the reorganisation policy of the EPML as being discriminatory and narrow and accused the leadership of turning the League into a 'pocket' organisation. However, his stand in this regard may also be viewed in the light of his position in the League in East Pakistan. Bhashani had been President of the Assam Muslim League. While not in power in the League in East Pakistan, he, nevertheless, enjoyed popular appeal in the province for his activities in the Proja (tenant) movement and his contributions to the settlement and upliftment of Muslims in Assam<sup>1</sup> and was in contact with League workers of the province. Unable to influence the EPML reorganisation policy, Bhashani mobilised the support of those who had been disappointed over the policy or had reasons for disagreement with the League leadership and formally formed a party, the Awami (Peoples) Muslim League in June 1949.<sup>2</sup> But in March that year he lost his membership of the assembly when the Election Tribunal declared his seat vacant on an election appeal. There is little room for doubt that the appeal, lodged by a candidate disappointed in the by-election of 1948, had the support, if not the prior approval, of the League leadership. The League promptly proceeded to award the party's nomination to that candidate for the by-election in the constituency which took place shortly afterwards.<sup>3</sup>

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1. For brief references to his activities in this regard, see, Mohammad Waliullah, A Reminiscence of Life (Bengali-Jugobichitra)(Dacca: Maula Brothers, 1967), pp.420-6; Abul Mansur Ahmad, Fifty Years of Politics as I saw It (Bengali-Amar Dekha Rajniritir Panchash Basar)(Dacca: Naoroze Kitabistan, 1968) pp.71-3.

Perhaps Bhashani's contribution to the Sylhet referendum in 1947 (when the district, then belonging to Assam, voted to join the province of East Bengal under the Plan of June 3, 1947) and his status as ex-President of Assam Muslim League, were important factors in his receiving the League nomination for election to the East Bengal assembly in 1948.

2. For Bhashani's role in the formation of Awami League, see pp. 175-79 below.

3. For further details, see, pp. 90-95 below.

Hamidul Huq Chowdhury fell out from League leadership by the end of 1949. He resigned from the cabinet in December, when proceedings were started against him under the Public Representative Offices Disqualification Act (PRODA).<sup>1</sup> His statement in the assembly on the occasion of his resignation hinted that his policies as provincial minister had created 'some powerful opponents and enemies' and had incurred the displeasure of the central government.<sup>2</sup> However his estrangement from party leadership could also be connected with succession to chief ministership of the province in September 1948. On that occasion, Nurul Amin, the civil supplies minister (and also a member of the three-man cabinet of August '47, the others being Khwaja Nazimuddin and Hamidul Huq Chowdhury) was appointed the chief minister of the province by the Governor on the advice of Nazimuddin the Governor-General of Pakistan who had until then been the chief minister.<sup>3</sup> The circumstances of his

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1. The PRODA framed in 1949 was said to be a powerful political weapon in the hands of the central government. Keith Callard examined the political reasons for the framing of the Act and its later repeal. See, Political Study, pp.102-5. 110-2. Also see, Dawn, Sep. 19, 21 and 22 (editorial), 1954.

2. EBLAP, vol. IV, no.3, pp. 135-6.

3. See, Khalid B. Sayeed, The Political System of Pakistan (Boston : Houghton Mifflin Company, 1967), p. 65. In course of an interview with the present writer in April 1969, Nurul Amin likened his appointment with that of the more recent case of Gulzarilal Nanda as India's Prime Minister, in that the immediate appointment was given to a member of the existing cabinet who was likely to command the support of all sections, until the parliamentary party chose a successor. In his case, as Amin pointed out, he was elected leader by the EPMLPP, which met in October 1948. He was reportedly elected uncontested by the parliamentary party in a meeting attended by 101 out of 115 members, when the only other candidate Shamsuddin Ahmed failed to be present. (Azad, Oct.20, 1948). Amin, in course of the interview referred to above, maintained that he had reasons to believe that Hamidul Huq Chowdhury, then a member of the cabinet, was largely responsible for setting up the rival candidate.



resignation and his proprietorship of an English newspaper, a powerful political weapon, made him a potential leader of dissidents. His attempt to capture the League organisational leadership in January 1951, by presenting himself as a candidate for Presidentship following the resignation of Akram Khan, however, proved unsuccessful.<sup>1</sup> The council elected the vice-president of EPML Abdullahel Baqui, who had the support of the ministry and the organisation's secretary, to act as President for the remainder of the term. The supporters of Huq left the council session, met separately and elected him as President of the EPML.<sup>2</sup> But the move proved abortive, and in February he was expelled from the League by the working-committee of the EPML as a disciplinary action for attempting to set up a parallel League organisation in the province.<sup>3</sup> In November 1951, he lost his membership of the assembly when he was found guilty of certain charges as a result of the proceedings instituted against him under the PRODA and disqualified from holding any public representative office for six years under the provisions of the Act.<sup>4</sup>

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1. Under the EPML constitution, the President was elected by the council. Election as President ensured control over the working-committee, the 'principal executive' body of the EPML, as the President nominated members of the working-committee, except for the elected office-bearers who became ex-officio members.
  2. Azad, Jan. 21-25, 1951; Pakistan Observer, Jan. 20-24, 1951. For subsequent developments, see EBLAP, vol. V, no. 1, p. 274; Azad, Feb. 23-24, May 5, 19, Nov. 13, 1951.
  3. Azad, Feb. 24, 1951.
  4. Dawn, Nov. 21, 1951.



IV The assembly 'closed' to opposition growing outside: the League government's policy towards by-elections.

The government held the first two by-elections to the East Bengal assembly at the beginning of 1948 when Abdul Hamid Khan Bhashani, the former President of the Assam Muslim League, and Khwaja Nazimuddin, the chief minister of the province, were elected to the legislature.<sup>1</sup> Three more by-elections for Muslim seats were held before the end of the year. Two ministers, Hassan Ali and Hamidul Huq Chowdhury and the organising secretary (subsequently, secretary) of the EPML Yusuf Ali Chowdhury were elected to the assembly.<sup>2</sup> By-elections were also held for four minority seats (one in 1948 and rest the following year), of which two were in reserved seats for the Scheduled Caste. It was reported that the Congress won one Scheduled Caste seat in addition to a General seat and the Scheduled Caste Federation won a General seat as well as one of the reserved ones.<sup>3</sup>

The political developments which took place following Bhashani's election had a most decisive influence on the politics of the first legislature. For the by-election of January 1948 Bhashani had been nominated the League candidate by the central parliamentary board of the Muslim League.<sup>4</sup> Bhashani's attitude

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1. Azad, Jan. 13, 26-7, Feb. 17, 1948. Nazimuddin, it may be recalled, did not seek nomination in 1946 election.
  2. Ibid., June 2, Oct. 24, 1948.
  3. Ibid., Apr. 16, 1949; Pakistan Observer, Apr. 11, 16, May 26, 1949.
  4. Azad, Jan. 27, 1948. Notices for nomination papers for by-elections of the East Bengal assembly which appeared in the local press during this period, indicate that until the reorganisation of the EPML was completed, League candidates were nominated by the central parliamentary board and subsequently by the Organiser of the PML. Also, see, ibid., Jan. 13, 1948.

to the EPML leadership as manifested particularly during 1948-9 has been noted earlier. In May 1948, K.K.Panni, a local zamindar and the rival candidate for the by-election of Tangail in which Bhashani had won, lodged an election appeal challenging the cancellation of his nomination paper by the returning officer for the Tangail by-election.<sup>1</sup> The Election Tribunal declared Bhashani's seat vacant in March 1949 and both Bhashani and Panni along with their election agents, were debarred from contesting any election to East Pakistan Legislature till March 1953, on grounds of certain election irregularities. The Governor subsequently removed the ban on Panni. The EPML nominated him as candidate for by-election in the constituency in April, 1949.<sup>2</sup> Just how seriously the League government viewed the influence of Bhashani in this by-election and the political consequences of an adverse poll, can be gathered from the fact that five provincial ministers, the chief minister included, paid visits to the area reportedly in connection with the election campaign.<sup>3</sup> The EPML President and the secretary and the provincial chief minister issued a joint appeal to the voters of Tangail to vote for the League candidate.<sup>4</sup> But the by-election was won by Shamsul Huq, a co-

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1. Ibid., May 25, 1948.

2. The above is based on reports appearing in Azad on the following dates - Mar. 24, 1949 (Decision of the Election Tribunal), Mar. 28, 1949, Apr. 6, 1949; and Pakistan Observer on March 24, 1949 (East Bengal Govt. Press Note) and Mar. 27, 1949 (EPML notification).

3. Azad, May 3, 1949 (editorial); Pakistan Observer, Apr. 15, 20, 1949. There was later a question in the assembly on whether the ministers and the parliamentary secretaries drew any travelling allowance or used government petrol, and if so, the amount, during their tour in the Tangail sub-division in April, 1949. EBLAP, vol. VI, no.2, p.1.

4. Azad, Apr. 20, 1949.

worker of Bhashani and who later with the formation of the Awami Muslim League became its secretary.<sup>1</sup> Shamsul Huq had earlier served as the publicity officer of the BML, and was a close associate of Abul Hashim, the former secretary of the BML.<sup>2</sup> It may be recalled here that the immediate pre-independence period of Muslim League in Bengal had been marked by strained relationship between Abul Hashim, the secretary and Akram Khan, the President, with the former putting stress on a more grass-root organisation and a leadership more reflective of its membership composition than the League had hitherto been.<sup>3</sup> Shamsul Huq was also reported to be a nominee of Suhrawardy.<sup>4</sup> Thus the defeat of the League may be seen in terms of victory for that section of the pre-independence BML leadership (now considerably strengthened by the organisational ability of Bhashani) which had been ejected from power by the present incumbents on the eve of independence, and therefore the more damaging in political terms. It also underlines the fact that within two years of the achievement of Pakistan, the League lay vulnerable to attacks in the electoral field. The attack, in this instance, came from former Leaguers and those who had been of leading ranks, soon to be formally organised into an opposition

1. Ibid., May 2 and 13, 1949; Ataur Rahman Khan, op.cit., p.31.

2. Azad in an editorial on Apr. 23, 1949, described him as a 'political disciple' of Hashim. Huq was also the worker-in-charge of the Dacca Branch of the BML, which was set up by Abul Hashim in 1944 for organisational activities of the League in East Bengal. See, Annual Report of the Bengal Provincial Muslim League. Branch Office, Dacca, 1944.

3. See, Council of the Bengal Provincial Muslim League Report of the Secretary 1944. The Report indeed provides a good feel of the undercurrents of internal League politics of the time. Kamruddin Ahmad in his book speaks of the 'Rightists' and 'Leftists' within the organisation at that time, led respectively by Akram Khan and Abul Hashim, op.cit., pp. 63-5.

4. Pakistan Observer, Apr. 20, 1949.

party, their task made easier by the fact that they had been as much associated with Muslim League politics in Bengal in the past decade as was the League leadership itself.

The Daily Azad commented in an editorial that the defeat of the Muslim League in Tangail by-election was in a way an expression of 'no-confidence' against the government.<sup>1</sup> After its defeat at Tangail by-election the government held only one by-election (one of the minority seats for which the date had already been set). Thus by August 1953, when the assembly met for the last session, the number of vacant seats had risen to 34<sup>2</sup> - nearly one-fifth of its total membership. Several of these constituencies had been completely unrepresented in the legislature from the time of independence.

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1. Editorial on May 3, 1949.

2. There were 18 Muslim, 9 General of which 2 were reserved seats for the Scheduled Castes and 7 Special constituencies which were vacant. (Alphabetical List of Members of the East Bengal Legislative Assembly, 1953).

Vacancies arose for a variety of reasons. Some seats were declared vacant due to readjustment of constituencies as a result of the Award of the Boundary Commission at the time of partition. (E.g. see, EBLAP, vol. VI, no. 1, p. 239; Azad, Mar. 20, 1948); resignations - the overall general pattern was that Hindu members who resigned went to India, most Muslim members who resigned moved out to special government appointments, e.g. ministerial posts at the centre, ambassadorial posts, Governor-General of Pakistan (Khwaja Nazimuddin), advocate-general of East Bengal (A.K. Fazlul Huq), while one Muslim member (A.K. Shamsuddin) resigned as a record of protest against the government's handling of the language movement in February 1952; vacancies as a result of members being unseated - 1 constituency was twice declared vacant on election appeal - first when Bhashani was unseated in March 1949, and then Shamsul Huq in February 1951, after a defeated candidate had lodged an appeal against the Tangail by-election of April, 1949 (See, Azad, Sep. 7, 1949 and Pakistan Observer Feb. 15, 1951), 1 constituency whose representative ceased to be a member under the provisions of PRODA, and 1 seat which was declared vacant by the assembly under Rule 7 of the East Bengal Legislative Assembly Rules; and vacancies due to death of sitting members.

The opposition was critical of the government's attitude towards by-elections. They took advantage of budget discussions to censure the government for its failure to hold by-elections for the vacant seats in the legislature.<sup>1</sup> During the budget session in 1951 the chief minister was about to conclude his reply to the points raised by members through cut-motions on a demand for grant, without making any comment at all about the vacant seats in the assembly, which formed the content of one of the cut-motions moved. The deputy leader of opposition interrupted, and the following conversation took place:

The Hon'ble Mr. Nurul Amin: ... (Mr. Dharendra Nath Datta: May I know when these Assembly vacancies will be filled up?) Those vacancies will be filled up in course of time through by-election. (Mr. Dharendra Nath Datta: I said, when?) As soon as possible. 2

It may be mentioned that there were 18 vacant seats in the legislature at the time. In reply to a question from a Muslim opposition member in November 1951 as to whether the government proposed to hold by-elections for the 10 Muslim seats which were vacant, the government stated that the matter was 'under consideration in view of the coming general election'. Asked ~~Asked~~ when the general election would take place, the government replied that no decision had yet been taken.<sup>3</sup> By the

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1. For example, see, EBLAP, vol.IV, no.1, p. 238; vol.V, no.1, p.360; vol.V, no.2, p.122; vol.VI, no.2, p.221; vol.VIII, p.73; vol.X, no.1, p. 99.

2. Ibid., vol.V, no.2, p. 129.

3. Ibid., vol.VI, no.1, pp.205-6. The term of the assembly however was to expire on March 14, 1953, according to the interpretation given to section 61(2) of the Govt. of India Act 1935. It was later extended by another year under the East Bengal Legislative Assembly (Continuation) Act, 1953, passed by the Constituent Assembly on March 9, 1953. (See, CAPD, March 9, 1953; Nurul Amin's statement as reported in Dawn, March 9, 1953).

time the term of the assembly drew to an end, there were as many as 18 Muslim seats which were vacant; in addition, the previous incumbents of 2 of the 7 special constituencies had been Muslims. Assuming that the trend of the Tangail by-election would have been followed by the rest if those been held - the government's reluctance to face any further by-election strengthens such assumption - it may be put forward that the presence of a fairly sizeable Muslim opposition inside the legislature would have exposed the League parliamentary party to the possible risks of splintering. The Constitution Commission observed,

Keeping these seats vacant was clearly due to the apprehension that the party would lose in the bye-elections. This was an example of a party contravening the conventions and principles of representative government in order to keep itself in power. 1

### 3. Muslim League attitude towards Muslim opposition:

#### difficulties of the Muslim opposition in the assembly.

The task of Congress opposition within the framework of parliamentary institutions was no doubt seriously handicapped because of the circumstances of independence struggle and the

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1. Report, p. 10. It may be noted that the Muslim League during this period also faced crises in the field of local government politics, as indicated by the Dacca District Board election of March, 1950. (See, Y.V. Gankovsky and L.R. Gordon-Polonskaya, A History of Pakistan, 1947-58 (Moscow: Nauka Publishing House, 1964), p. 196. For subsequent developments in case of this election, see, EBLAP, vol.XI, no.2, pp. 113-6 and Azad, Feb.6, 1950). Members in the assembly complained that elections to some of the District Boards were being excessively delayed, and hinted that the government was influenced in this matter by party political considerations. (See, for example, EBLAP, vol.IV, no.1, p. 239; vol.VII, p.5; vol.IX, no.2, pp.239, 244, 338; vol.XI, no.2, p. 113).



nature of communal representation. But nevertheless, the opposition could be deemed as natural and legitimate (in the sense of being an 'expected' outcome of past political differences), if not always as effective. It was the role of Muslim opposition in the immediate post-independence period which was fraught with dangerous implications. It has been observed that nationalist movements by their very nature are essentially 'unitary' as opposed to 'pluralistic'.<sup>1</sup> The Muslim League in pre-independence India had claimed that it alone represented the Muslims of India. Those Muslim politicians who had chosen to remain outside the League or oppose its policies had even been considered as betraying the interests of the Indian Muslims. To make its claim real and effective the Muslim League had sought to bring all Muslims within the organisation, as the presence of any other political organisation of Muslims would have seriously weakened its 'representative' role. In the early years of the 1937 Bengal legislature, when the Muslim League was in power in a coalition government but the Muslim members divided into parties and groups, Jinnah had written to M.A.H. Ispahani, a Muslim League member of the assembly and a close link of Jinnah with Bengal politics,

The time has come when there should be only one party and that is the Muslim League party so far as the Muslims are concerned, and I cannot imagine of a coalition between Muslim League

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1. Myron Weiner, 'The Politics of South Asia', in Almond and Coleman (ed.), *op.cit.*, p. 199. Richard R. Park has observed that 'An independence movement is not the best breeding ground for political parties in the western sense', because of its unitary character. 'Problems of Political Development in Pakistan', Philip W. Thayer (ed.), *Nationalism and Progress in Free Asia* (Baltimore: John Hopkins Press, 1956), p. 103.

party and any other Mussalman individual or group of Muslims or a party of Mussalmans so far as the political life of the Mussalmans of India were concerned. 1

With the increase in the stature and political importance of the League, many Muslim politicians also came to realise that their political effectiveness within their own field was likely to be impaired unless they spoke through the League. Fazlul Huq earlier expelled from the League, urged Jinnah to 'remove the ban on me and my supporters to facilitate our entry into the League' so that 'no Muslim may remain outside the folds of the League'.<sup>2</sup> The Muslim League, in other words, became the organisation of the Muslim nation in India - it was in 1940 that Jinnah clearly postulated his two-nation theory.<sup>3</sup> With independence, when the nation came to have a state of its own, opposition to the Muslim League, which had so long been held as betrayal of the Muslim nation, also came to be regarded as opposition to the state itself. It has been noted,

Dominant parties in many under-developed nations, having led the struggle for independence, regard subsequent challenges to their rule as a threat to all that they have fought for and achieved. Opposition parties in these areas often receive little tolerance. The lack of differentiation between people, party, and government ... is a partial explanation for this phenomenon. 4

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1. See, Ispahani, op.cit., p. 160. The letter was dated April 20, 1939.
  2. Fazlul Huq's letter to Jinnah, dated Nov. 13, 1942. Correspondence on this occasion included one more letter from Huq and a reply from Jinnah, which were released to the press by Jinnah. Typescript copies were made available to the present writer by S.A.Huq.
  3. For an analysis of the theory and its impact on subsequent political history, see K.K.Aziz, The Making of Pakistan (London: Chatto & Windus, 1967), pp.163-70, 206-9.
  4. Gabriel A. Almond and G. Bingham Powell, Comparative Politics: A Developmental Approach (Boston: Little, Brown and Company, 1966), p. 107.

Muslim League thus tended to look with suspicion at all opposition. The historical role it played in the creation of Pakistan led the League to regard itself above all other political organisations, and not just as 'an ordinary political party competing with others on equal terms for the favour of the electorate'.<sup>1</sup> Jinnah, it has been suggested, was aware of the dangers of such possibilities and of the disadvantages other political parties were likely to face if the League perpetuated itself in its old role. At the close of the council session of the PML at which the decision was taken to reorganise the League, in February 1948, he issued the following press-note,

... the aim of the All-India Muslim League was to achieve Pakistan. The Muslim League at that time acted as the representative of the Muslims of India. Now after Partition, Muslim League will work as a party and no longer as the representative of the entire Muslim nation as it did before. 2

But the League leadership failed to evolve such an outlook. It has been said that the inability, above all, of Liaquat Ali Khan and Khwaja Nazimuddin, the first two premiers of Pakistan, to differentiate the state, the government and the League made any opposition to the League or 'rebel group' within that party appear as tantamount to treason.<sup>3</sup> The Muslim League

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1. Callard, Political Study, p. 38. It has been stated that the Congress in India on the other hand was able to make a successful adjustment from a nationalist movement to an ongoing political party in an open competitive political system. See, Weiner, Party Building in a New Nation, pp.2-14.
  2. The above is a transliteration from original Bengali as quoted by Abul Mansur Ahmad, op.cit., p. 247. Also see, Abul Mansur Ahmad, "Qaid - The Democrat" in The Concept of Pakistan, vol.III, no.5 (Dec. 1966), pp.11-19. The press-note was issued from the Governor-General's Secretariat and was dated Feb.28, 1948.
  3. A.S.M.Abdur Rab, Shaheed Suhrawardy, (Bengali) (2nd ed.; Dacca: Adil Brothers & Co., 1968), p. 78. Both of them, it may be noted, spoke of the council of the PML as the 'National parliament'. See, Callard, Political Study, p.39; Dawn, Nov.17, 1951, for the address delivered by Khwaja Nazimuddin upon his election as President of the PML.

politicians by their declared public stands and pronouncements created a political and psychological environment which was most injurious to the healthy growth of Muslim opposition. Perhaps a few selected instances will make the point. On a visit to East Pakistan, Liaquat Ali Khan, the prime minister of Pakistan, accused those who were trying to 'create division within the League' by setting up a separate political organisation (a reference to Awami League) of being 'traitors'.<sup>1</sup> In a similar strain the President of EPML, Maulana Akram Khan, spoke of 'stabbing Pakistan in the back' and 'treachery to the Muslim nation'.<sup>2</sup> Nurul Amin, the chief minister reiterated in the assembly that Muslim League was the national organisation of Muslims.<sup>3</sup> Perhaps the best exposition of the Muslim League view was given on the floor when a member spoke thus,

... Muslim League is not a political organisation. It is a national one. It has achieved Pakistan and the maintenance and the well-being of Pakistan depends on the strength and solidarity of that organisation only.<sup>4</sup>

All Muslims were expected to unite solidly under the banner of the League<sup>5</sup> which had brought about Pakistan, a homeland for the Muslim nation. Opposition to the League on the part of

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1. His speech in a public meeting at Barisal, as reported in Azad, Oct. 17, 1949.

2. Ibid., Oct. 19, 1949. Also see the editorial on Oct. 21, 1949.

3. See, for example, EBLAP, vol. X, no. 1, p. 337.

4. Ibid., vol. VIII, pp. 77-78.

5. An analogy, however, has been suggested of the League's stress on unity of Muslims with the Islamic conception of unity of faith. See, Callard, Political Study, pp. 222-3; Myron Weiner, in Almond and Coleman (ed.), op.cit., p. 196.

Muslims could, therefore, only be seen as attempts to create divisions within the Muslim nation and to undermine the very existence of the state itself. Thus the nature of the problem faced by the Muslim opposition in the immediate post-independence period appeared to have been one of legitimacy. It may be noted, however, that it was easier for the Muslim opposition growing outside the legislature to overcome this handicap, because opposition in this field was actively led by politicians who had already been acknowledged as leaders in Muslim Bengal politics.<sup>1</sup> It is in this sense particularly that the absence of these politicians in the legislature contributed to the weaknesses of the position of Muslim opposition in the assembly.

Muslim opposition could come in the assembly only through defection from the League (there having been no by-election after April 1949), an act that was not without its attendant discomforts. The members of the Awami League Group were reminded by a Muslim Leaguer: Did they not get themselves elected to the assembly on the Muslim League ticket? Did they not pledge 'in the name of Allah by reciting verses from the Holy Koran', in the presence of the Quaid-e-Azam at the Muslim Legislators Convention at Delhi, 'to serve the Muslim League' and 'to stay united under the Muslim League banner'? Were they not then by breaking their 'solemn pledge' 'creating divisions within the rank and file' of the Muslims of East Pakistan?<sup>2</sup> If one who had previous record of party change or of opposition to the League (not very uncommon phenomena particularly in the years 1937-43), moved out from the League in East Pakistan assembly,

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1. This aspect and the League attitude towards Awami League and its workers have been discussed on pp. 182-86 below.

2. EBLAP, vol. VIII, p. 78. The Muslim Legislators Convention was held at Delhi in 1946 and was attended by the newly elected Muslim members of the central and provincial legislatures of India.



the chief minister could hint in public 'as to how many times he changed parties for reasons not far to seek'.<sup>1</sup>

The Muslim opposition, it may be noted, in moving away from the League did not move towards the official opposition which was totally Hindu. It has been observed that a

... group of dissident Mullims could make common cause with the Hindu Opposition only at the risk of being branded as traitors to the millat.<sup>2</sup>

The historical role of the Congress fitted it to an 'anti-Pakistan' role. The Hindu members were thought of as not unlikely to have extra-territorial loyalties to or at least sympathies with, India. Splinter groups from the Muslim League collaborating with the Congress in the legislature could be projected as involved in nefarious designs. It was not until February 1952 that Muslim members recorded their votes in a division with the official opposition. But even afterwards, the Muslim members' opposition to the League policies was not always in the form of votes on the side of the Congress, but rather in abstention from voting. Not that on all occasions the Muslim opposition found themselves in agreement with the Congress; a notable example was their respective attitude to the government's State Acquisition and Tenancy Bill. But even when they did, it was politically unsafe for them to appear to have a concerted policy or share an identical view with the Congress. The chief minister on the floor of the House spoke of Khairat Hossain (who at that time claimed himself to be an

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1. For example, see the newsitem captioned 'Nurul Amin explains resignations of League Party MLAs' in Dawn, Nov.13, 1951.

2. Callard, Political Study, pp. 244, 235-40.



'unattached' member of the legislature) and Monoranjan Dhar (secretary of the Congress parliamentary party) as 'sailing on the same boat' when both moved similar amendments to the Expiring Laws Bill in 1951.<sup>1</sup> He remarked about the newly formed Awami League Group on the floor - 'I have no doubt in my mind that this small party will work at the bidding of Mr. Datta and his party'. The occasion was when Shamsuddin Ahmed, leader of the Awami League Group and Dharendra Nath Datta, deputy leader of the opposition, were found agreed upon a certain amendment on the government's special motion on Bengali.<sup>2</sup>

It may be noted here that the Muslim opposition in the assembly suffered from lack of cohesion. It consisted of members who over the years left the League for various reasons; their common ground, as critics of the League, was their 'anti-Muslim League' attitude - their opposition was not marked by well-concerted actions and policies or any marked degree of discipline. It was not until February 1952 that the Awami League Group was formed in the assembly, though the party had been formed outside as early as 1949. This rather belated appearance of the Awami League group in the assembly may be certainly attributed to the unseating of Bhashani in 1949 and later of his co-worker and secretary of the Awami League party, Shamsul Huq, from the House.<sup>3</sup> The Awami League Group was formed

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1. EBLAP, vol. VI, no. 2, p. 103.

2. Ibid., vol. VII, p. 108.

3. Shamsul Huq, it may be noted, spent the greater part of his membership of the House in detention under Special Powers Ordinance. See, e.g. EBLAP, vol. IV, no. 6, p. 132; vol. IV, no. 8, pp. 195, 210; vol. V, no. 1, p. 110; vol. V, no. 2, p. 388.

by those who on earlier occasions had left the Muslim League (some of whom were known to have been already engaged in Awami League activities outside) and others who resigned from the ruling party over police firing on February 21. It may be said that with the formation of the Group the Muslim opposition appeared to have a somewhat relatively organised existence in the assembly. Nevertheless, there were a couple of instances of members, as the proceedings and division lists of the assembly indicate, who on subsequent occasions sided with the government and presumably rejoined the ruling party.<sup>1</sup>

#### 4. Nature of relationship between the governmental and organisational leaderships of the EPML, 1947-54.

In the PML council session in February 1949, while commenting on the mutual roles of the government and the party organisation and the need for their harmonious relationship, Choudhry Khaliquzzaman remarked,

Although Pakistan is a new-born State and its political experiences are not of long standing, still it is a matter of joy and satisfaction that the relations between the State and the Organisation have generally been very satisfactory and it can be hoped that with the help of God they will continue to remain happy. 2

Khaliquzzaman's optimism, however, was somewhat premature. For, while during about the first seven months of the new state, the party's President and general secretary were also the Governor-General and the prime minister of the state, during

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1. Also, for example, see Dawn, Oct. 24, 31, 1952.

2. Report of the Organizer of Pakistan Muslim League, (1949).

the following one year there had been no complete party organisation at all, only one under construction. Hence there was little or no scope for any stress or tension to develop between the organisation and the government over issues of formulation of policy or direction of control. During the period which followed the dissolution of the League in February 1948, Khaliquzzaman's Locus standi was as the organiser of the Muslim League and not as leader of the party organisation. However, it is important to note his conception of the role of the government and the party, for at this council session, which marked the completion of the reorganisation of the League, Choudhry Khaliquzzaman was elected the President of the party. Emphasising the need for a 'balance' in the relationship between the government and the organisation, he maintained that while such 'balance' resulted in mutual 'co-operation' and made for a 'strong' government and a 'well-contented' organisation an absence of it rendered them both 'weak'.

Generally this balance is established through the non-interference of Political Organisations in the day-to-day administrations and on the side of the Government through continuous attempts to gauge public opinion and sentiment by its contact with the Political Organisations and to modify and alter its policies according to necessity. Thus a Political Party serves as a bridge to convey the views and feelings of the people to the Government and carry the problems of the Government to the people. 1

Furthermore, he visualised the party organisation also in the role of opposition to the government, or in his own words, 'sitting in judgment' over its activities, in the absence of organised opposition at the governmental level.<sup>2</sup> Khaliquzzaman's

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1. Ibid.

2. Ibid.

own resignation in 1950 from the office of PML President had been linked with his differences of views with the prime minister.<sup>1</sup> An amendment in the League constitution, dropping the relevant provision, enabled the prime minister to assume the party Presidency.<sup>2</sup> It may be noted that in neighbouring India, conflicts between the party organisation and the government led to the unification of the two offices at the highest national level in 1951.<sup>3</sup> But two points of differences may be observed. While in case of the Indian National Congress, this was a temporary phase and prime minister Jawaharlal Nehru relinquished his party Presidency after he effected an adjustment in the role of the organisation, in case of Pakistan, the two offices were virtually merged. Liaquat's successors, Khwaja Nazimuddin and Mohammad Ali, both took upon the party Presidency soon after their appointment as prime ministers.<sup>4</sup> It was only in 1956 that as a reaction against failures of the experiment of amalgamation, the offices were separated by yet

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1. For example, see Ittefaq, Feb. 15, 1956 (Rajnaitic Mancha - The Political Stage); Abdur Rab, op.cit., p. 78. In an interview with the present writer in April, 1969, Nurul Amin cited as an example of 'lack of understanding' between the organisation and the government and of 'conflict' between the two, the case of the PML President Chowdhury Khaliquzzaman and the prime minister Liaquat Ali Khan. For comments on the relationship between these two politicians at various times, see, Ayub Khan, op.cit., p. 41; Sayeed, Formative Phase, p. 203. For an explanation of the difficulties inherent in the system of separation of the two offices, and the government-organisation tussles in the Punjab and Sind see, Callard, Political Study, pp. 43-44.
  2. Constitution and Rules of the Pakistan Muslim League, 1950.
  3. Kochanek, op.cit., pp. 3-53; Rajni Kothari, Politics in India (Boston: Little, Brown and Company, 1970) pp.157,168-70.
  4. The League constitution was amended in 1951 to enable the newly appointed prime minister Khwaja Nazimuddin, who was formerly the Governor-General and not a primary member of the League for one year as required under the constitution to be eligible to hold party office, to assume the party Presidency. Dawn, Nov.17,1951; Constitution and Rules of the Pakistan Muslim League, 1952.

another amendment of the League constitution.<sup>1</sup> Secondly, while in the Indian instance, unification was allowed only in the national level, leaving the state governments to face a 'built-in opposition in the form of party officials',<sup>2</sup> in case of Pakistan, the provincial chief ministers set themselves up as League Presidents in their respective provinces. However, by the time the position was reversed by the 1956 amendment, the question of government-organisation relationship had completely lost all import for East Pakistan, the Muslim League party having been reduced by the 1954 election to an insignificant minority in the provincial legislature, and practically all significance for West Pakistan with the coming of the Republic<sup>an</sup> party to power in that province.

Against the background set out thus far, the case of the EPML may be examined. It has been noted above that independence and the partition of the province of Bengal saw in power within the government and the party, leaderships that enjoyed mutual sympathy and confidence. It has also been noted that in the immediate post-independence period both parliamentary and organisational leaderships were faced with some opposition from within the ranks. During this period considerable attention had also to be paid by the party executive to purely organisational matters which largely arose due to the changed circumstances. For example, of the eleven items which were on the agenda or on which decisions were taken or resolutions passed by the working committee in course of two

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1. Constitution and Rules of the Pakistan Muslim League, 1956.

2. W.H.Morris-Jones, 'Parliament and Dominant Party : Indian Experience', Parliamentary Affairs, vol. XVII, 1963-64, p. 306; Kothari, op.cit., p. 157.



meetings between September and December 1947, eight may be classified as purely organisational in nature and one concerned the future role of the Muslim League in view of the AIML council session to be held at Karachi in December that year.<sup>1</sup> From February to November 1948 when the task of reorganising the League was being carried out in the province, there was of course no party executive in existence. It was thus only towards the end of 1948 that, with the organisational problems evidently settled and the exigencies of the government's immediate post-independence responsibilities somewhat reduced, the normality of party-government relationship was restored.

But the completion of the reorganisation process which saw Akram Khan again to leadership in the organisation coincided with a change of leadership in the parliamentary party. Nazimuddin with whom Akram Khan enjoyed somewhat close ties from the days of undivided Bengal politics moved to the centre to assume the office of Governor-General in September 1948. His succession by Nurul Amin brought a change in the personality and style of leadership. Amin a stronger personality than Nazimuddin,<sup>2</sup> was also more disposed towards creating support for government leadership within the party. However, at the same time the complete reorganisation of the party signified that

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1. Azad, Sep. 11-14, Dec. 5-7, 1948.

2. It has been observed by Khalid Bin Sayeed that Amin, whom he described as a 'strong Chief Minister', was eager to use the full powers of his office and reduce the power of the Governor to that of a constitutional figurehead. The same writer has used such adjectives as 'weak', 'indecisive', 'mild and malleable' to describe the personality of Nazimuddin. See, Formative Phase, pp.231, 306, 309.



organisational matters had been settled obviously to the advantage of its own leadership. Their election to the highest offices of the party executive, preceded by election at all levels from the lowest rung of the party hierarchy, not unnaturally tended to generate in them a sense of vigour and confidence. The party now sought to play an active role in policy formulation and to exercise some control over the government.

During a prolonged session in May 1949, the working committee, after disposing of certain organisational matters, discussed the food situation of the province in the presence of the central and provincial ministers, whom it had invited to attend, and 'pressed' the respective governments for effective action. In this session the working committee decided to set up a planning committee to draft both short-term and long-term plans for economic development, particularly affecting agriculture and irrigation, commerce and industry (including the jute industry), education, food, communications and rehabilitation. The government was urged to obtain the views of the League on its own schemes in respect of these subjects. It was decided that the planning committee would appoint several subcommittees and that ministers would serve as ex-officio members of the subcommittees which related to their departments. The planning committee was formed with four members, the remaining five to be co-opted. The four were Akram Khan, Yusuf Ali Chowdhury, Shah Azizur Rahman and S.A. Salim - all office-bearers of the party. The working committee in this session also expressed its appreciation of the steps taken by the government with regard to the abolition of zamindari and urged them to pass the bill in the next

session of the assembly.<sup>1</sup> In a resolution moved by the President himself, the working committee criticised the government for the 'unscrupulous execution of the levy system'.<sup>2</sup> In two more resolutions the working committee urged government servants to be 'courteous' and 'helpful' to the citizens while reminding the people of the role of government servants and the need to 'help' and 'support' them. It also urged the government to issue a directive to officials to 'consult and take the co-operation of the Muslim League in matters of national interest'. The working committee in this session also formed a tribunal to examine allegations against some members of the parliamentary party of canvassing against the League nominee in a Constituent Assembly by-election, and to take necessary

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1. A bill to acquire zamindari, the East Bengal State Acquisition and Tenancy Bill, 1948, had been introduced by the government during the first session of the assembly on April 7, 1948. The select committee report was presented to the House on Nov. 14, 1949 and the bill finally passed in February 1950, during the fourth session, the first to be held, however, after the above working committee session. See, EBLAP, vol. I, no. 4, pp.87-120; vol. IV, nos. 1-6.
  2. Under the Compulsory Levy of Foodgrains Order, 1948, the government imposed a levy on paddy in surplus production areas; the cultivators had to sell to the government their produce above a certain ceiling and at a price fixed by the government. The civil supplies department of the government, responsible for the operation, faced criticisms also in the assembly. For example, during the budget session in March 1949, members bitterly criticised the imposition of compulsory levy as being unfair to the cultivators and attacked the shortcomings in its practical operations. One member from Khulna narrated the story, alleged to be true, of a woodcutter in the Sundarban (a forest area in the district on the coast of Bay of Bengal) who, on receipt of a notice from the government to give two hundred maunds of paddy, approached his MLA (the member himself) to see if he could give two hundred maunds of wood instead as he did not grow any paddy! For criticisms during this session, see ibid., vol. III, no. 1, pp. 151-225; no.2, pp. 221-5; no.3, pp.219-47.

action.<sup>1</sup> It must be observed that this was a comparatively lengthy session of the working committee and the decisions and resolutions also were, to some extent, influenced by the approaching of council session the following month. Two points in particular may be noted: these decisions and resolutions represent the organisation's initial flush of eagerness to exert influence and control over the government's policies and actions and they also indicate the party executive's unwillingness to be concerned solely with organisational matters.

However, it should not be assumed that on every occasion when the working committee took a stand or decision on problems that were more immediately the concern of the government, the relationship between the party and the government was strained. For example, a working committee resolution asking for central government financial relief for settlement of refugees or the working committee's memoranda to the visiting prime minister on the sufferings caused by a worsening of food and currency situation, the need for improved communication and an extension of railway lines, resettlement of refugees,<sup>2</sup> and the like, were in fact likely to strengthen the government's position in putting forward its demands to the Centre. Further it should not be assumed that the chief minister's influence was

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1. Azad, May 17-21, 1949; Pakistan Observer, May 20, 1949. For decisions of the tribunal mentioned above, See p.82, above. It may be mentioned that under the League constitution the working committee had the power to take disciplinary action against a member for violation of the decision of the League or contravention of its aims and objects, subject to a right of appeal to the council. See, Constitution of the East Pakistan Provincial Muslim League, 1952.

2. As it did respectively on Sep. 28, and Oct. 13, 1949. See, Azad, Sep. 29, Oct. 13, 1949.

not adequately felt in the working committee. His presence on the Committee as a member and the relative preponderance of MLAs and ministers assured the chief minister of a dominating position and ensured that government views received due attention.<sup>1</sup> This may account for subsequent allegations that the working committee of the party was under the influence of the government even before the chief minister came to hold the party Presidency.<sup>2</sup> This may also go some way in explaining the failure of the proposed planning committee to make much headway; the schemes for formulating the plans seem not to have materialised, and more significantly, there was no further attempt at comprehensive policy formulation.

That there were differences within the League over the role of the organisation and the relationship between the party and the government, is indicated by the fact that within six months after the working committee was constituted after reorganisation (and interestingly, about a fortnight before the working committee's session in May 1949) the Azad commented in an editorial:

The League has formed the government at the centre and the province. Everyone wants government to be run on lines laid down by the League, but the fact is that the government is running the League. ... The government want the League as a toy in their hand and not as their advisor or guide. 3

It attributed the weakening of the League's popularity<sup>4</sup> to this

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1. See, pp. 128-30 below.

2. For example, see, Pakistan Observer, Jan. 20, 1951 (Editorial); Ittefaq, Feb. 13, 14, 1950 (Rajnaitic Mancha-The Political Stage).

3. May 4, 1949. Translated from original Bengali.

4. It may be noted that the League nominee was defeated in the Tangail by-election in April 1949. Opposition to the League outside the legislature was gaining ground and in June that year the Awami Muslim League came to be formed.

attitude on the part of the government. But perhaps the government's views on the proper role of the organisation can best be understood with the help of another editorial written about the same time. The Pakistan Observer (whose proprietor Hamidul Huq Chowdhury was at the time a member of the cabinet as well as of the working committee) while admitting the organisation's role in 'laying down the programme of the government', urged the party to organise support for government efforts and stressed that the government and League must work in the closest co-operation. It stated that a 'psychological metamorphosis' (from pre-independence times) of both League and the government was required. It urged Leaguers to appreciate that the days of 'agitational' activities were over. The editorial continued,

Tirades against the government will ultimately recoil on the League organisation itself. If the people are allowed to lose faith in the League administration, they will next lose faith in the League organisation. ... The Leaguers will forget only at their own peril that one of their tasks today is to supplement government activity and rally the people behind the government. 1

Akram Khan's resignation on the eve of the council session in June 1949, was reportedly due to his differences of opinion with the government over 'matters of policy' and the internal differences within the working committee' itself. 2

A final rift however was averted by the intervention of

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1. The above is quoted from the last of a series of three editorials captioned 'League and Administration', on June 25-27, 1949. These were obviously occasioned by some of the resolutions passed by the council (earlier passed by the working committee in May) in its session that month.
  2. Pakistan Observer, June 24, 1949. Also see, Choudhry Khaliquzzaman's statement in ibid., June 25, 1949.

Choudhry Khaliquzzaman, the PML President, who persuaded the Maulana to withdraw his resignation before it came up for consideration in the council session. Akram Khan subsequently stated to the press that he had been 'thinking for sometime past as to why the popularity of the League was waning so rapidly and people were losing faith in the national organisation'. He had then arrived at the conclusion that it was 'mainly due to the abnormal rise in prices of foodstuff and the internal weakness of the organisation'. On Chowdhury Khaliquzzaman's request, he reportedly submitted his suggestions to the PML President for 'mending matters'.<sup>1</sup> It must be noted that while his suggestions no doubt indicated that he had disagreements with the government and some office bearers, they also in a way reflected the weakness of his position as the party's executive. The very fact that he had to make the gesture of stepping down from his position because he could not arrive at a workable compromise with those with whom he had disagreements, or, was not in a position to force the issues through to the end, indicated that he had not been able to build up viable support within the party machinery - a strange outcome of his

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1. Ibid., June 19, 24, July, 9, 1949. His suggestions may be grouped and summarised as follows: (1) Government - civil supplies department to be reorganised on the lines indicated by him. Effective steps to be taken to stop corruption in the administration. (2) Party - the centre (presumably the central League executive) should prohibit office-bearers of the organisation from seeking personal favours or trying to interfere with administration of justice. The 'doors of the League should be thrown open to masses' and membership be raised to at least 5,000,000; receipt books for primary membership should be freely and fairly distributed; enlistment of bogus members must be eliminated. (3) Parliamentary Party - early general election in order to 'purge the League of the undesirable elements in the present Legislature'. (4) PML - adequate subvention to revitalise the provincial organisation and the formation of a 'national volunteer organisation'.



seven years as its President.<sup>1</sup> His 'suggestions' did not call for or require any concession on the part of those with whom he had disagreements. His public statement of the 'rapidly waning' popularity of the organisation and 'loss of peoples' faith' in it, amounted in fact to an admission of his failure as the organisation's President. His suggested remedies showed that he had realised the grave error in his policy of restricting the membership of the League, but by stating it in this context, he had in fact tried to shift the responsibility on to others while in the first instance the responsibility was his own.

A Basic Principles Committee had been appointed by the Constituent Assembly of Pakistan in March 1949, to report on the main principles of the future constitution. The interim report of the Committee, of which the President of EPML, Maulana Akram Khan, was also a member, was presented in September 1950. The report received an acutely adverse reception in East Pakistan as having failed to safeguard the interests of the province.<sup>2</sup> Even in the face of widespread

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1. In an interview with the present writer in April 1969, Nurul Amin made the following comment on Akram Khan's resignations (he tendered his resignation from party Presidency on four occasions and was 'persuaded' to withdraw twice), 'Whenever Akram Khan felt that things were not being done the way he thought they should be done, instead of trying to impose his views on the party, he avoided the issue by tendering his resignation'.
  2. Of the twenty four members of the Constituent Assembly who composed this Committee, twelve were from East Pakistan. These 'East Pakistani' members were Liaquat Ali Khan, Gholam Mohammad, Ishtiaq H. Qureshi, Mahmud Hossain, Khwaja Shaha-buddin, Begum S. Ikramullah, Fazlur Rahman, Akram Khan, J.N. Mondal, K.K.Dutta, S.C.Chattopadhyaya and P.H.Barma - the first four in the list being non-Bengali from outside Bengal. Nurul Amin was a co-opted member along with other provincial chief ministers. Briefly, the interim report envisaged a centralised federation, failed to secure for East Pakistan majority representation at the centre and provided for Urdu alone to be the national language of Pakistan. See, CAPD, vol. V, no.5; vol.VIII, no.1, the interim report of the BPC is annexed in the latter, pp.13-50. Also see Feldman, *op.cit.*, pp.28-9; G.W.Choudhury, Constitutional Development in

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hostile reactions in East Pakistan, the EPML working committee passed resolution expressing confidence in the members from East Pakistan in the Constituent Assembly, maintaining that they had not been negligent in safeguarding East Pakistan's interests and even directing them not to oppose the report in the Constituent Assembly.<sup>1</sup> The prime minister, however, taking note of the widespread dissatisfaction, postponed consideration of the report and invited public suggestions up to January 1951.<sup>2</sup> The EPML council, meeting in December 1950, appointed a sub-committee to suggest 'constructive amendments' to the report.<sup>3</sup> Akram Khan tendered his resignation from the Presidency of the EPML also about the same time.

In January 1951, the council assembled to consider Akram Khan's resignation and to elect his successor. Hamidul Huq Chowdhury, now out of power in the government, based his candidacy for the office on the need for 'rescuing the organisation from its present subservience to the ministry'. The provincial leadership's discomfiture over the interim BPC report lent strength to his claim that EPML leaders, both of

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Pakistan (Lahore : Longmans Green & Co. Ltd., 1959), pp.30-1, Democracy in Pakistan (Dacca: Green Book House, 1963), pp.69-71; Sayeed, Formative Phase, pp. 412-3.

1. Azad, Oct. 31, 1950.
2. CAPD, vol. VIII, no. 6.
3. Azad, Dec. 21, 1950. The sub-committee suggested some detail amendments aimed at attaining some degree of provincial autonomy, better representation in the central legislature and a guarantee of a certain ratio of recruitment from East Pakistan in the central government and the defence services. (For an account of the proposed amendments, see Pakistan Observer, Jan. 9, 14, 1951). Opposition characterised the EPML sub-committee report as an attempt to 'hoodwink and confuse the people'. (Pakistan Observer, Jan. 21, 1951).

government and the organisation, had failed to represent East Pakistan's interests at the centre and that they had lost touch with the people.<sup>1</sup> However, Abdullahel Baqui, the vice-president of the organisation was elected acting President by the council with the backing of the government and the working committee. It may be asked why Nurul Amin, particularly since he assumed the Presidency the following year, did not decide to get himself elected as the President. There was no constitutional bar to the holding of League office as the clause debarring amalgamation of government and party offices had been deleted by an amendment in 1950 to enable Liaquat Ali Khan to be elected as President of the PML. Several hypotheses may be put forward. Baqui, while involved in both national and provincial politics - he was a member of the Constituent and the East Pakistan assemblies and vice-president of both PML and EPML - was however not known to have been a very forceful personality. He was closely associated with the nucleus of the Bengali leadership in the Constituent Assembly which included the chief minister as well as the former President. He was perhaps acceptable to all sections in the EPML.<sup>2</sup> Any

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1. Pakistan Observer, Jan. 20, 1951. Also see the editorial of the same date.

2. In his obituary to Abdullahel Baqui in the East Pakistan assembly on February 25, 1953, the Speaker paid the following tribute: 'In the field of Politics the late Maulana combined the rare qualities of a good theological background, erudition, sagacity and breath of vision. Instead of being very vocal by nature, his career was marked by a quiet efficiency; and what pre-eminently marked him out of the common run, was that he sought no office and preferred organisational work. In all important and weighty matters, his opinions were sought with eagerness, and listened to, with respect'. EBLAP, vol. X, no. 1, p. 1.

pushing of Amin's candidacy might not have had the support of the entire working committee, particularly of Yusuf Ali Chowdhury, the general secretary, who on occasions had led an anti-government group within the committee.<sup>1</sup> Besides, the chief minister was a member of the discredited Basic Principles Committee. Again, Amin himself might not yet have felt the need to also hold the office of the President, or possibly had decided in favour of waiting till the next party elections to be held shortly so that useful alliances could be built upon it within the organisation in view of the approaching general election in the province.

The subsequent period is marked by the working committee's increasing preoccupation with organisational affairs and, among matters concerning the government, its continued preoccupation with the jute policy. While the working committee in the past had to pay frequent attention to some of the League district and sub-divisional units for what appeared to have been their almost chronic organisational difficulties,<sup>2</sup> it now had to concentrate generally on party internal affairs as the party faced the prospect of elections at all levels. There had been no party elections since the one entailed by the reorganisation process in 1948.<sup>3</sup> The elections

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1. The impression of differences between Amin and Yusuf Ali Chowdhury is based on available accounts of working committee meetings as reported in Azad, particularly when the government faced criticisms over jute policy in the committee.
  2. Among the notable instances were Narayanganj and Sylhet.
  3. The EPML constitution did not specifically fix the term of office-bearers, stating only that they held office till the next elections and were eligible for re-election. But primary members were enrolled for one year (three years by an amendment in 1952, the year coinciding with a calendar year) and the interpretation was generally for yearly (subsequently three yearly) elections to the various organs and offices of the League. See, Constitution of the East Pakistan Provincial Muslim League, 1952; Azad, Feb. 10, 1952 (editorial); Dawn, Oct. 15, 1952.

now were set for 1951. The significance of this election lay in the fact that it appeared in all likelihood to be the last organisational election before the general election in the province. To the new aspirants as well as to members, elections to the subdivisional and district units provided the opportunity to gain influence and consolidate positions within the party, with a view to securing or influencing party nominations for the approaching election. They were also important for those already in power at the higher levels for strengthening their support in these units and thus consolidating their position in the party hierarchy in time for the election. Party elections to the subdivisional and district Leagues were started towards the end of 1951.<sup>1</sup> In some subdivisions and districts 'parallel Leagues' came to be formed; in other words, more than one League executive body was elected, all seeking recognition from the provincial League executive.<sup>2</sup> The internal conflicts within these units were so acute that elections could not be fully completed before the middle of 1952.

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1. Azad, Aug. 3, 1951; circular of the General Secretary, dated 16.7.51, to Secretaries of the District, City and Sub-Divisional Muslim Leagues, containing the Rules for the conduct of elections of the different units of the East Pakistan Provincial Muslim League as adopted in the meeting of the working committee on 19.12.50 and amended on its meeting held on 14.7.51, and Election Programme as adopted in the meeting of the working committee held on 12th, 13th and 14th July '51 in Dacca. (Cyclostyled).

2. In so far as this particular phenomenon and signs of dissensions at these levels appeared in both 1948 and 1951-52, they emphasised the factional nature of Muslim League politics at local levels. It may also be observed here that the available information reveals that these were common features in case of some district and sub-divisional units in the two elections. There were also of course instances of some local units which reached virtual deadlock due to internal strife and others which ceased to exist on account of inactivity. Muslim League politics of the period at local levels thus promises to provide interesting material for a study of the kind made by Paul Brass on Uttar Pradesh in India in his book, Factional Politics in an Indian State: The Congress Party in Uttar Pradesh (Berkeley: University of California Press, 1965).



In most of these cases, the working committee had to hear appeals, conduct investigations, form ad-hoc committees, order fresh election or take other necessary action.<sup>1</sup> The Azad maintained that factional struggles in the lower units of the organisation in fact reflected the factional conflicts which prevailed in the upper echelons of party leadership. For, control over the district Leagues were likely to ensure for the 'leaders' control over the provincial council which elected the President and other office-bearers and most significantly, the provincial parliamentary board for nominating League candidates in the general election.<sup>2</sup>

The jute policy of the provincial and central governments had earlier come under criticism in the working committee. In June 1950, it had formed an eight member committee with Yusuf Ali Chowdhury as convenor, to examine the needs of the jute cultivators and the jute regulation policy. Certain changes in the international markets towards 1951 and the government's failure to take effective measures led to a sharp

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1. The above is based on available reports on the election of League units and of working committee meetings of the period from August, 1951 to July, 1952 in Azad.
  2. Ibid., editorials for example on Jan. 2, Feb. 10, July 5, 1952.

One source indicated that the differences between Amin and Akram Khan continued during this period, and attributed the considerable independence on the part of Amin and his supporters to the fact that the League now had its official organ 'Sangbad'. (See, Sainik, 4.11.51). Azad, it may be noted, was not the official organ of the League, but the property of Akram Khan. In the BML council session of 1944, Abul Hashim, then the general secretary, stressing the need for an official League organ, had said in an oblique reference to Azad, '... one cannot make out whether the League controls the paper or the paper controls the League'. Council of the Bengal Provincial Muslim League. Report of the Secretary, 1944.



fall in the price of jute which severely affected the jute growers. The jute committee of the EPML submitted its report in July 1951 and made certain recommendations to the government. There were indications that critics of the government were being led by Yusuf Ali Chowdhury. The government, it may be noted, also faced criticisms in the assembly from the official opposition and Muslim opposition members.<sup>1</sup>

In February 1952 when police opened fire on the language demonstration at Dacca, the working committee demanded a judicial enquiry into the police firing and urged the withdrawal of section 144 from the city. When the assembly passed the Bengali resolution moved by the chief minister, the working committee announced that it would try to get the resolution accepted by the Constituent Assembly. However, the working committee's most clearly anti-government stand during the period was taken in March when it urged Nurul Amin and his government to release people arrested in connection with the language movement.<sup>2</sup> When the assembly met in March after the hurriedly adjourned session of February, one Muslim League member referred to the resolution,

Our national organisation, the Muslim League of the province, has also passed a resolution recommending the unconditional release of students and others who have been arrested in connection with the language movement. I do not know what the Muslim League Government is doing and what should be their decision with regard to the resolution of the Muslim League of which the Government claims to be a creature.<sup>3</sup>

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1. For example, in October 1952, the opposition moved an adjournment motion in the assembly to discuss 'the serious situation in East Bengal on account of abnormal fall of price of jute'. See, EBLAP, vol. IX, no. 2, pp. 42-62.
  2. Azad, Feb. 24-26, Mar. 11, 1952.
  3. EBLAP., vol. VIII, p. 180.

The newly elected council of the EPML met in August 1952, to elect the office-bearers. It elected the chief minister of the province Nurul Amin as President and authorised him to propose his nominations for election of office-bearers. Amin exercised this power to drop Yusuf Ali Chowdhury from his team.<sup>1</sup> Explaining his split with Yusuf Ali Chowdhury, Amin on a later occasion,<sup>2</sup> remarked, 'Yusuf Ali Chowdhury was unaware of the limitations under which the provincial government had to work'. While in office, he had found that understanding between the chief minister and the general secretary was essential. But the 'exchange of ideas must take place within the party and not in public. Because public criticism by the organisation put the government in an uncomfortable position'. Needless to say, Amin's views on this matter and his assessment of Yusuf Ali Chowdhury's attitude typically illustrate the differences of approach between a chief minister and an 'organisation man'. It must also be noted that Amin had a potentially powerful critic in Yusuf Ali Chowdhury. As general secretary of the party for five years and through two party elections, he was likely to have developed support within the organisation. A member of the assembly, he was in contact with the parliamentary party and thus, in case of a serious tussle for power, within direct field of confrontation with the chief minister in the assembly. Besides, on Yusuf Ali Chowdhury's own disclosure,<sup>3</sup> he enjoyed the support of several of Amin's cabinet colleagues.

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1. Azad, Aug. 24, 1952. Others dropped were Abdullahel Baqui, the acting President and Asadullah, a joint secretary. Baqui however was accommodated in the working committee.

2. In course of an interview with the present writer in April, 1969.

3. To the present writer, in course of an interview in April, 1969.

However, Amin's selection of his working committee<sup>1</sup> reflected the consolidation of his position in the party organisation. Nine of his nominees had served in the previous working committee as ex-officio or nominated members. They included the two former Presidents of EPML,<sup>2</sup> two cabinet colleagues, one central minister, one East Pakistani joint secretary in the PML (also an MCA) and three Presidents of district Leagues<sup>3</sup> (one an MCA and another MLA). Of the eight 'new members', six held offices of secretary and President in district and city Leagues.<sup>4</sup> Five of these new nominees were members of legislatures at the centre and the province.

Two amendments of the PML constitution at Dacca session in October 1952<sup>5</sup> had the effect of further strengthening Amin's position. The amendment of triennial enrolment of

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1. Azad, Sep. 14, 1952. He announced nominations of seventeen members, with three to be nominated later. But there is no indication that he filled these seats (e.g. see, Dawn, Dec. 15, 1953). Under the EPML constitution, the working committee was to consist of not less than twenty-four and not more than twenty-seven members including the office-bearers. There were now seven office bearers, the post of publicity secretary having been created particularly in view of the coming election.
  2. I.e. Akram Khan and Baqui. One source indicated about this time that the differences between Amin and Akram Khan had been composed. (Sainik, Nov. 21, 1952). Amin's nomination of Akram Khan and the latter's acceptance of membership also, to some extent, confirmed this. But the truce was not to be long lasting.
  3. The districts were Mymensingh, Tippera and Bogra.
  4. Presidents of district Leagues of Rangpur, Pabna, Rajshahi and the city League of Chittagong (which had the status of district League); secretaries of the district Leagues of Jessore and Barisal.
  5. The EPML, meeting in Dacca during the time when the PML was also in session in Dacca, adopted the necessary amendments. For details of amendments, see, Constitution and Rules of the Pakistan Muslim League, 1952; Constitution of the East Pakistan Provincial Muslim League, 1952; Dawn, Oct. 11-15, 1952.

membership in fact provided for triennial election to League organs and offices. Thus Amin's position as the party President was safeguarded and his alliances within the organisation ensured for until after the general election in the province.<sup>1</sup> The amendment providing for equal representation from East and West Pakistan to the PML council enhanced Amin's position at the all-Pakistan level of the party.<sup>2</sup>

The threat to Amin's leadership in the provincial organisation came, as could be expected, from Yusuf Ali Chowdhury. In April 1953, he led a section of the EPML council to demand a requisition meeting<sup>3</sup> 'to record and register ... want of confidence in the President of the Provincial Muslim League'.<sup>4</sup>

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1. Elections, scheduled at the time for March 1953, were not held until March 1954. Amin tendered his resignation in January 1955. Akram Khan was elected the new President. Azad, Jan. 3, Feb. 13-23, 1955.
  2. It has been suggested that the increased strength of the EPML in the PML council, guaranteed by this amendment, did not reflect the actual strength of the party in the province. (Z.A. Suleri, Pakistan's Lost Years (Lahore: Progressive Papers Ltd., (1962)), p. 40). The amendment no doubt indicates the strength of the Bengali leadership and of EPML in inner party politics at national level at this time. For detailed figures of representation of provincial Leagues in the PML council before and as amended, see, Constitution and Rules of the Pakistan Muslim League, 1950, 1952.
  3. A council meeting could be requisitioned if at least 75 councillors submitted a signed written requisition to the general secretary with a copy of the resolution intended to be moved at the meeting.
  4. A 9-point memorandum, submitted to the general secretary, gave a list of 'grievances' and 'problems' which would be placed before the council. They included the following: the provincial Muslim League executive and particularly its President have utterly failed to press the decisions and recommendations of the provincial council with regard to the BPC report; the handling of the jute problem has 'shattered the economic backbone of the agriculturists and the economic structure of the province'; the Muslim League executive has 'miserably failed to stop province-wide nepotism, corruption and favouritism'; no programme has been made to solve the 'acute unemployment' in the province; the League President is in charge of five important portfolios as a minister and is therefore unable to devote time to the work of the Muslim League; the demand for Bengali as State language has not yet been accepted. See Dawn, Apr. 21, 1953; Statesman, Apr. 20, 1953.

The Councillors who backed the requisition reportedly came from the districts of Faridpur (Yusuf Ali's district), Dacca, Tippera, Sylhet, Chittagong, Noakhali and Bogra and also included several members from the East Pakistan assembly.<sup>1</sup> Undoubtedly, chief among Yusuf Ali Chowdhury's calculations had been the very recent and sudden change at the central leadership brought about by the Governor-General Gholam Mohammad, which had left Nurul Amin in a somewhat vulnerable position. The newly appointed prime minister, Mohammad Ali, as he was aware, would welcome a change in East Pakistan leadership, for Nurul Amin had been closely associated with his predecessor. However, the move to requisition the council fell through as some of the signatories to the requisition notice reportedly withdrew their support.<sup>2</sup> Nurul Amin nevertheless called a council meeting in May as a final step towards determining and formalising his relationship with Mohammad Ali.<sup>3</sup> The proposed council meeting thus also provided opportunity to the Yusuf Ali Chowdhury group to marshal their forces. There were indications that Fazlul Huq aligned himself with the anti-Amin group. The strategy was to push Amin out of power by advancing the candidacy of Huq for EPML Presidency to the councillors as well

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1. Dawn, Apr. 21, 1953.

2. Ibid., Apr. 27, 1953. A group of 52 councillors had earlier issued a statement as rejoinder to the requisition notice in which they had offered their 'unstinted support' and 'unswerving allegiance' to Amin as the President of EPML. Ibid., Apr. 23, 1953.

3. The relationship between the central and East Bengal League leadership has been discussed below, see pp.130-42.



as to Mohammad Ali.<sup>1</sup> But apart from having a firmer control over the organisation than his opponents, Amin also scored better as a strategist. His negotiations with Mohammad Ali on the eve of the council session indicated that they reached some workable understanding. The day before the council session, in a reportedly unexpected move Amin obtained a vote of confidence from the EPML parliamentary party.<sup>2</sup> This illustrated two points - to his adversaries, that he alone was capable of leading the party in the government, and to Mohammad Ali, that Amin's support was indispensable to get himself elected to the Constituent Assembly. The council on May 9 (amid riotous scenes, however) passed a motion of confidence in Nurul Amin by an 'over-whelming majority'. The opposition's attempt to move a no-confidence motion simultaneously, led to 'perfect pandemonium'. But the council reportedly passed the confidence motion by 363 votes with 22 against.

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1. Huq had written to his nephew in December, 1952 from Somerset House (MCA's Hostel at Karachi), 'Nurul Amin has ... told the Press that elections will take place in Dec. 1953 or Jan. 1954 - barely 12 months hence. In a few months I will have to resign my post (advocate-general of East Pakistan) .... The contest will be for life or death and (I) must stake everything'. (The letter, dated Dec. 22, 1952, has been quoted with the kind permission of S.A. Huq). With KPP, the party which he had helped to build in the nineteen-thirties, completely disbanded before independence and the need for organising another party thus absolutely imperative, the prospect of capturing the League leadership might have appeared to Huq as a convenient solution. Huq's alignment with the anti-Amin group at the time had also been hinted by a section of the press. (See, Sainik, Aug. 14, 1953). Both Nurul Amin and Yusuf Ali Chowdhury also disclosed to the present writer in course of separate interviews in April 1969, that there was a move to get Huq elected as the EPML President, while their approach to the explanations understandably varied.
  2. The motion was passed reportedly by 81 votes to 3 abstentions. Dawn, May 9, 1953. For oppositions account of the events, see, ibid., May 10, 1953 (Statement by three members).



It then proceeded to resolve that 'disciplinary action be taken against those causing disruption in League ranks'.<sup>1</sup>

This issue however served to bring to the open the rift that existed in the parliamentary party, though in actual fact it involved a limited number of members. Available reports indicate that there were about eight to ten MLAs, including three parliamentary secretaries, who were engaged in active opposition to Amin at this time. Disciplinary action was taken against about five of them.<sup>2</sup> These alienations, it may be noted, did not pose any serious threat to the unity or working strength of the parliamentary party. This came almost at the end of the life of the assembly. Only one more session was held, in August-September 1953, before the assembly was dissolved for the election in March 1954.<sup>3</sup>

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1. The Council in its session earlier in the day expressed its 'full support in Mohammad Ali as the Prime Minister of Pakistan'. Ibid., May 10, 13, 1953. For opposition's account of events, see ibid., May 12, 1953 (Seven Leaguers' statement). Also see, Statesman, May 11, 1953.
  2. Dawn, Apr. 21, May 9, 10, 12, 1953; Statesman, May 11, 15, 1953; Sainik, May 15, 1953.
  3. It is for this reason that this development has not been noted in our discussion earlier of the growth of Muslim opposition inside the assembly. The proceedings of the assembly for the session also, it may be noted, did not adequately reflect the development except for the changes in the offices of the parliamentary secretaries.

After the issue was resolved in Amin's favour there were some signs of belligerency in some of the district Leagues, which had reportedly backed Yusuf Ali Chowdhury's bid to requisition the meeting. But no categorical statement can be attempted here because of lack of exhaustive information. It is also interesting to note, though of course risky to attempt to establish causal connection in the absence of details of facts, that the district League council of Noakhali in June 1953, passed a motion of no-confidence in its secretary Abdul Hakim, the MLA who had in May moved the motion of confidence in Amin in the EPML parliamentary party meeting. (Dawn; May, 9, 1953; Azad, June 20, July 16, 1953).

There was believed to have been some disunity within the cabinet at this time. But these differences were reportedly resolved in Amin's favour. The EPML working committee's resolution in July directing the three provincial ministers who were also members of the Constituent Assembly to resign from either of the two legislatures while making the only exception for Amin, indicated the differences within the cabinet as well as Amin's political strength.<sup>1</sup> The members ultimately did not resign, but the directive must have served as a sufficiently strong warning.

Amin's strength was further demonstrated when the EPML council delegated to him the power to nominate members of parliamentary board for the purpose of selecting Muslim League candidates for the provincial election to be held in 1954. Under the EPML constitution the council had the power to elect seven of the nine members of the board, the EPML parliamentary party leader being an ex-officio member and the EPML President the ex-officio chairman of the board. In case one person held the two offices, the council had the right to elect one more member.<sup>2</sup> Amin accordingly announced the parliamentary board towards the end of December, 1953.<sup>3</sup>

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1. Statesman, May 9, 1953; Azad, July 13, 1953. There were at this time four members of East Pakistan legislature who were also members of the Constituent Assembly. (Alphabetical List of Members of the East Bengal Legislative Assembly, July, 1953). They were Nurul Amin, Mafizuddin Ahmed, Habibullah Bahar Chowdhury and Abdul Hamid - all four, members of the provincial cabinet. It may be noted that Amin also hinted at possible changes in the composition of his cabinet. In December, Tafazzal Ali, a close associate of prime minister Mohammad Ali, moved from the East Pakistan to the central cabinet. (For example, see Azad July 23, Dec 8, 1953).
  2. Constitution of the East Pakistan Provincial Muslim League, 1952.
  3. See, Azad, Sep. 17, Dec. 12-14, 23, 1953; Dawn, Dec. 23, 1953.

The above, while throwing some light on the internal politics of the Muslim League and the relationship between the government and the organisation, also lends support to the suggestion, made earlier while discussing the nature of parliamentary party unity, that one of the factors making for stability of leadership in the parliamentary arena was its ability to retain control over the EPML organisation.

The composition of the working committee also illustrates that it was dominated by the parliamentary wing of the party. Table 6 below shows that

Table 6

Assembly memberships and cabinet ranks of members of the working committee (elected office bearers and nominated members) of the EPML.

Year of election/ nomination	Total Number	Members, Constitu- ent Assembly	Members, East Pak. Assembly	Members, East Pak. cabinet	Members not occupying any position under (3)(4)(5)
(1)	(2)	(3)	(4)	(5)	(6)
November 1948	27 <sup>1</sup>	8	14	5	10
August - September 1952	24 <sup>2</sup>	9	11	4	7

(Note: Figures for columns (3)(4)(5) overlap, because members

1. President: Akram Khan; vice-president: Abdullahel Baqui; general secretary: Y.Ali Chowdhury; treasurer: S.A.Salim; joint secretaries: Shah Azizur Rahman, Asadullah; members: Nurul Amin, K.Habibullah, F.A.Mannan, A.M.Malek, Tafazzal Ali, Habibullah Bahar Chowdhury, Abdul Monem Khan, Ghyiasuddin Pathan, A.R.Chowdhury, H.Rahman, S.Abdul Rouf, S.Akbar Ali, A.K.Khan, Nabiuddin, Ahmed Hossain, Hamidul Huq Chowdhury, D.A.Basith, A.Sagir Khan, Abdul Hamid, S.Fazle Rabbi, S.Shahebe Alam.
2. President: Nurul Amin; vice-president: K.Habibullah; general secretary: F.A.Mannan; treasurer: S.A.Salim; joint secretaries: Shah Azizur Rahman, Mohiuddin Ahmed; publicity secretary: A.Sabur; members: Akram Khan, Abdullahel Baqui, A.M.Malek, Tafazzal Ali, Habibullah Bahar Chowdhury, Abdul Monem Khan, Ghyasuddin Pathan, A.R.Chowdhury, H.Rahman, Wahiduzzaman, Mohammad Wares, Shamsur Rahman, A.Rashid Mahmood, Yusuf Hossain Chowdhury, S.R.A.Siddiqui, A.R.Khan, M.R.Chowdhury.

of East Pakistan cabinet (5) were all members of East Pakistan assembly (4), and there was also double membership of Constituent Assembly (3) and East Pakistan assembly (4). The Table only indicates the nature of composition of the two working committees at the time of their formation, and does not take into account subsequent changes. An examination however shows that there were no drastic changes and the trend was towards slightly higher pre-dominance of members of legislatures, particularly caused by movement from (6) to (3) as a result of subsequent election to the Constituent Assembly (3) of those members of the working committee who were not members of legislatures (6) at the time of their nominations. Two explanations may be offered as to why the movement was not towards the East Pakistan assembly instead. Firstly, membership of the Constituent Assembly was perhaps considered to be politically more important. Secondly, since there was no by-election held for East Pakistan assembly after April 1949, there could be no more entry into this assembly. Thus the Constituent Assembly was in fact the only 'available' legislature).

the working committees drew much less than half of their memberships from the purely organisational wing of the party. The presence of four to five ministers in the committee helped<sup>1</sup> in putting forward the government's views. The chief minister's

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1. In his study of the Congress party in India, Stanley Kochanek wrote, 'Although the Working Committee is the highest organ of the mass organisation, it is so thoroughly infiltrated by the parliamentary wing that it has no separate and vital existence apart from it .... in terms of formal membership, the Working Committee came to be dominated by the leaders of the parliamentary wing of the centre and in the states. As a result, there has been a tendency for the policies of the Congress government and the pronouncements of the party not to diverge very widely'. Op.cit., pp. 122-126.

presence in the committee even before he came to be the President of the organisation, in fact shifted much of the powers of party President to the chief minister within the committee.<sup>1</sup> The presence of a large parliamentary group enabled the chief minister and his cabinet colleagues to somewhat broaden their base of support in the committee.

It is of course inevitable that when entrusted with the responsibilities of the government, the powers and importance of the party's organisational wing would be somewhat diminished. But the evolution of some understanding and a workable relationship between the two elements within the committee is essential, bearing in mind the responsibility of the office of government and the accountability of the party to the electorate. The lack of such understanding led to a monolithic concentration of power in the government leadership in the EPML. This may explain, to some extent, the disastrous electoral defeat of the Muslim <sup>League</sup> in East Pakistan in 1954.

##### 5. Relationship between EPML and central leaderships, 1947-54.

During the period when Muslim League was in power in East Bengal from August 1947 to March 1954, there was also a Muslim League government at the centre. Thus, apart from the formal structure of relationship between the centre and the province, which obtained under the Govt. of India Act 1935, as amended by the Independence Act, the governments were also linked

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1. Even before he became the President of EPML, many working committee meetings were in fact held at Burdwan House, the official residence of the chief minister.

by the party organisation. The assumption of the powers of government at the centre by those who were of leading ranks in the party during the crucial years of independence movement, notably under Jinnah and Liaquat Ali Khan's leadership, and later, in 1950, the virtual unification of the highest level of leadership of the government and the party further strengthened the underlying trends of centralisation.<sup>1</sup>

It has been rightly observed that 'in the days of the League's hegemony the support of the centre was usually the vital factor in the maintenance of provincial office'.<sup>2</sup>

During the years 1947-53, nine provincial ministeries, as Karl von Vorys described, 'fell victim to national action'.<sup>3</sup>

1. The trend of centralisation within the party organisation in pre-independence days (when the central party leadership had not yet come to hold the powers of government) was visible particularly during the 1940's, when a series of League constitutional amendments and resolutions enhanced and strengthened the powers of the President and working-committee of the AIML as over the provincial organisations. (For examples, see, Sayeed, Formative Phase pp.200-212; Indian Annual Register, 1940, vol. I, pp. 315-6; 1942, vol.I, p. 320; 1943, vol.I, p. 289). By one of the resolutions, for example, the working committee empowered 'the President to advise, guide and issue instruction to the Muslim League parties in the various Provincial Legislatures in the event of any sudden emergency arising'. Incidentally, the resolution was quoted by Jinnah himself in his reply to Fazlul Huq in course of their correspondence regarding the latter's entry into the League. (The present writer is indebted to S.A.Huq for his kind permission to consult typescript copies of the letters. Fazlul Huq's letters to Jinnah, dated Nov. 13, 1942 and Feb. 5, 1943, and Jinnah's letter to Huq, dated Feb. 10, 1943 and content of telegram dated Feb. 11, 1943 were also released to the press at the time). Reginald Coupland had observed that this unitarianism in the party, more marked however in case of the Congress, vitiated the principle of autonomy in the provinces. (The Constitutional Problem in India (London: Oxford University Press, 1944), Part II, Indian Politics, pp. 84-5, 154-5). The various aspects of centralisation in Pakistan have been discussed by Callard, Political Study, p. 159 and ff, and Karl von Vorys, Political Development in Pakistan (Princeton, New Jersey: Princeton University Press, 1965), pp. 90-5.
2. Callard, Political Study, p. 64.
3. Op.cit., p. 92.



It has been observed,

In provincial politics, the Ministers came in and went out of office neither as a result of the verdict of the people at the polls nor by a decision on the floor of the Legislature but by a subtle process of political intrigue and manoeuvre often controlled and dictated from the Centre. <sup>1</sup>

During this period also 'the central party took the extreme step of dissolving no less than four constituent Leagues', those being of Karachi, Baluchistan, Sind and Punjab. <sup>2</sup> In case of East Pakistan, the only example (excluding the resignation of the finance minister in December 1949 when proceedings were started against him under PRODA) of the centre's interference in ministry-making was provided by the appointment of the provincial chief minister <sup>in</sup> 1948, who was the central leadership's nominee before he came to be elected leader of the party in the legislature. There were some instances of direct intervention by the central party leadership in the provincial organisation after 1954. <sup>3</sup> It is interesting, however, to note that when during the budget session in 1949, Muslim League MLAs vehemently criticised the government, some even going to the extent of covertly suggesting that the ministry should resign, <sup>4</sup> the chief minister remarked,

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1. G.W.Choudhury, Democracy, p. 55.

2. Callard, Political Study, p. 48.

3. For example, see, Dawn, June 9-13, July 15-19, 1955.

4. This indeed proved to be a trying period for the EPML leadership. A group of about 24 MLAs disobeyed a strict party whip and voted for Suhrawardy in a Constituent Assembly election (April); Bhashani was unseated from the East Pakistan Assembly (March); the Muslim League nominee lost to Bhashani's candidate in the by-election that followed (April); the Awami Muslim League, a potentially powerful opposition party, was formally organised (June).

Resignation of a Ministry or the removal of a Ministry is always with the Constitution. The Ministry may go, another Ministry may come; the Ministry may go, another Ministry may not come. The Ministry may go and Governor's rule may come ....' 1

The Constitution Commission, commenting on the imposition of Governor's rule in the province in 1954, after the Muslim League lost the election to the United Front, observed in their Report,

The imposition of the Governor's rule, soon after the United Front Ministry took office, was an indication of the reluctance on the part of the majority party at the Centre to allow any other party to take office in the province of East Pakistan. 2

That the EPML leadership remained in power unchanged and uninterrupted emphasise three facts. Firstly, it was able to maintain its control over the EPML parliamentary party and organisation, as has been noted in our discussions above. There was at no time any major revolt in either of these spheres or any serious split within its ranks - which could have presented the central leadership with alternative choice. Secondly, it also retained the trust and confidence of the national leadership, reinforced by its own acceptance of that leadership, and if it may be so said, by a similarity of outlook in that leadership at both levels was provided by the conservative section of

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1. The chief minister then of course continued by saying that a mere change of government would not solve the problems. It may be noted that the main theme of the budget discussion was criticism of the central government's financial policies towards the province - a theme that was developed by the finance minister in his budget speech and echoed by the chief minister himself. Members generally blamed the ministry for its failure to secure a better deal for the province from the centre. See EBLAP, vol. III, no.1, pp.31-267.
  2. Report of the Constitution Commission of Pakistan, 1961, p.9. Also see, Stanley Maron, 'The Problem of East Pakistan', Pacific Affairs, vol. XXVIII, no. 2 (June, 1955), pp.132-43.

the party. It has already been noted that the AIML leadership was favourably disposed towards the section of the BML which came to control the parliamentary party and organisation at the time of independence. The first Governor-General Mohammad Ali Jinnah (1947-48), under whose instructions two provincial chief ministers were removed,<sup>1</sup> obviously had no reason to be displeased with the EPML leadership, the parliamentary party led by Khwaja Nazimuddin and the organisation by Maulana Akram Khan. Liaquat Ali Khan, who became the country's prime minister (1947-51), had sympathies with the Nazimuddin faction of the BML which finally removed Suhrawardy from his base of power. In 1947, Liaquat Ali was elected to the Constituent Assembly of Pakistan by the East Pakistan assembly. He was largely responsible for the appointment of Nazimuddin as Governor-General upon Jinnah's death in 1948. It has also been stated that Nurul Amin owed his position as chief minister to the directions' of Liaquat.<sup>2</sup> While he could act as an 'umpire between the various provincial interests' as he himself came from a province outside Pakistan,<sup>3</sup> as prime minister Liaquat also had to build his base of support in the provinces.<sup>4</sup> It has been suggested that he 'compromised with the Nurul Amin ministry in East Bengal'.<sup>5</sup> Choudhry Khaliquzzaman, the organiser of

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1. Of NWFP and Sind. See, G.W.Choudhury, Democracy, pp.60-3; Callard, Political Study, pp.26-7, 62.
  2. Sayeed, Formative Phase, p. 411.
  3. Sayeed, Political System, p. 65.
  4. Mushtaq Ahmad, op.cit., p. 48.
  5. M.A.Chaudhuri, Government and Politics in Pakistan (Dacca: Puthigar Ltd., (1968)), p. 163. The Russian writers Y.V. Gankovsky and L.R.Gordon-Polonskaya, however, have hinted at Liaquat Ali Khan's opposition to the Bengali leadership at the Centre, Op.cit., pp. 124-25.

PML and its first President (1948-50), was referred to on the floor of the East Bengal assembly by a member of the cabinet as 'our national hero'.<sup>1</sup> Nurul Amin, the chief minister, was later reported to have commented that while President of the PML, Khaliquzzaman had 'done his best to represent the province accurately and forcefully before the Central Government'.<sup>2</sup>

Finally, the EPML leadership which controlled the parliamentary party and organisation was itself a component part of the controlling Bengali leadership at the centre.<sup>3</sup> Nurul Amin and Akram Khan were both members of the Constituent Assembly; so were several of their colleagues from East Pakistan cabinet and EPML working Committee. Khwaja Nazimuddin and Fazlur Rahman, who like Amin and Akram Khan had played significant roles in ousting Suhrawardy and his supporters in Bengal, chose the field of central politics.<sup>4</sup> East Pakistan's representation in the central cabinet and PML working committee was provided by this group and their supporters. The political

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1. EBLAP, vol. IV, no. 2, p. 119. In course of interview in April 1969, Yusuf Ali Chowdhury disclosed to the present writer that at the PML session of February 1948, members from East Pakistan supported Choudhry Khaliquzzaman for the office of organiser; the other candidate was Feroz Khan Noon of Punjab.
  2. The comment was stated to have been made by Amin on the reported appointment of Khaliquzzaman as Governor of the province in April 1953. Statesman, April, 1, 1953.
  3. This has been affirmed by political commentators on Pakistan. For example, see, Keith Callard, 'The Political Stability of Pakistan', Pacific Affairs, vol. XXIX, no. 1, (March 1956), pp. 7-20; Stanley Maron, 'The Problem of East Pakistan', op.cit.; Gankovsky and Gordon-Polanskaya, op.cit., pp. 124, 212.
  4. Khwaja Nazimuddin and Fazlul Rahman resigned their seats from East Pakistan Assembly upon their appointment as Governor-General and central minister in 1948 and 1947, respectively.

stability in East Pakistan thus may be largely attributed to the fact that leadership in the province and Bengali leadership at the centre belonged to the same group of Muslim League politicians from East Pakistan. The status quo remained until 1953. The crisis arose with the dismissal of Khwaja Nazimuddin as prime minister by the Governor-General in April, 1953.<sup>1</sup> As leader of the Muslim League party in the Constituent Assembly Khwaja Nazimuddin enjoyed a network of alliances with the Bengali members of the Constituent Assembly, including the chief minister of East Bengal, this alliance between the two levels of leadership also reflecting within party structure as the prime minister and the chief minister were both Presidents of their respective party organisations.<sup>2</sup> Mohammad Ali, Nazimuddin's successor as prime minister was not only outside these alliances; his political antecedents before his departure from the East Bengal political scene with diplomatic assignments abroad, had been one of opposition to the group of Bengali leadership until then in power.<sup>3</sup>

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1. For an examination of the reasons behind the action of the Governor-General and the balance of power in the political forces of the country, an analysis of the implications and consequences of the Governor-General's actions and the reasons for Nazimuddin's inability to voice effective protest, see, Callard, Political Study, pp. 133-39; M.A. Chaudhuri, op.cit., pp. 166-69; G.W. Choudhury, Democracy, pp. 46-7; Sisir Gupta, 'The Political Crisis in Pakistan', Foreign Affairs Reports, vol. III, no. 11 (Nov. 1954), pp. 133-46; Imdad Hossain, 'The Failure of Parliamentary Politics in Pakistan, 1953-58' (unpublished D.Phil. thesis, University of Oxford, 1966), pp. 60-84.
  2. The core of the Bengali leadership in the Muslim League parliamentary party at the Constituent Assembly at the time may be identified as Khwaja Nazimuddin, Fazlur Rahman, Akram Khan and Nurul Amin. Besides, Amin had three of his cabinet colleagues and six of his working-committee members (apart from three more already mentioned in other capacities above) in the Constituent Assembly. Khwaja Nazimuddin was stated to have been in personal terms of friendship with the Bengali President of the Constituent Assembly, Tamizuddin Khan. He also had his younger brother Khwaja Shahabuddin in the Constituent Assembly. The leadership also enjoyed support among the other members from East Pakistan.
  3. For a background, see pp. 77-9 (particularly footnote 3 on p. 79) above. Mohammad Ali was Pakistan's ambassador to the U.S.A.

The first reaction of EPML was reported to have been one of opposition to the newly appointed Prime Minister.<sup>1</sup> Mohammad Ali, immediately upon his appointment, started negotiations with Nurul Amin and some other EPML politicians.<sup>2</sup> But the result of his first encounters with Amin was inconclusive. His reported offer of a position in the central cabinet, evidently with a view to bring about a smooth change over in EPML leadership, failed to attract Amin. There were also indications that Amin was reluctant to commit himself to any pledge of support without a demonstration of backing from his party.<sup>3</sup> Mohammad Ali, however, needed the support of the chief minister to get himself elected to the Constituent Assembly, East Pakistan assembly being the electorate for members from East Pakistan. He also needed support from Amin, who was in a position to exercise some influence on East Pakistan MCAs (with most of whom he had other points of contact either in the EPML parliamentary party or the organisation), in order to be elected as leader of the Muslim League

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when he was appointed the prime minister and was not a member of the Constituent Assembly.

1. Current Notes on International Affairs, vol. XXIV, no.11, (Nov. 1953); pp. 625-44; Sainik, May 15, 1953.
2. Apart from Nurul Amin, others who were summoned by Mohammad Ali to Karachi were Tafazzal Ali and S.A. Salim, both members of East Pakistan Cabinet and EPML working committee, Murtaza Reza Chowdhury, member of the Constituent Assembly and EPML working committee, and K. Nasrullah, chief whip of the EPML parliamentary party - with all of whom he had more or less close personal association.
3. The above is based on reports appearing in Statesman and Dawn, Apr. 19-29, 1953.



party in the Constituent Assembly. Lastly, support of Amin, who was also the President of the EPML, was indispensable to the new prime minister if he wished to be elected President of the PML.<sup>1</sup> Therefore, in case co-operation was not forthcoming, the prime minister had to look for an alternative base of support in East Pakistan and envisage some changes in the EPML leadership. In fact within a week of his coming to power, Mohammad Ali was made aware of the existence of an opposition to Amin's leadership when a section of the EPML council led by Yusuf Ali Chowdhury sought to requisition a council meeting to 'record and register' 'want of confidence in the President of the Provincial Muslim League'. It may be observed here that it was not so much the 'grievances' as expressed by this group in their 9-point memorandum drafted for the consideration of the council, but the timing of their expression which was of political significance.<sup>2</sup> As for the chief minister himself, the change of leadership at the governmental level at the centre drastically changed his own position. While, on the one hand, it was obvious that the new prime minister preferred to see him move out from his position of influence in the province, on the other hand, he was faced with a serious threat to his leadership within the organisation from a section willing to extend support to the prime minister. Besides, Mohammad Ali's coming back into active politics revived his former ties in Bengal politics and the chief minister was faced with a situation

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1. Under the League constitution, the PML council which elected the President consisted of equal representation from the two wings of Pakistan. Constitution and Rules of the Pakistan Muslim League, 1952.

2. For details of the memorandum, see, p. 123 footnote 4, above.

in which he found some of his own colleagues over the years favourably disposed towards Mohammad Ali's leadership. Furthermore, it has to be noted that any opposition to the central government leadership must take the one fact in cognizance that in slightly differing contexts the centre had used its 'powers of appointment and dismissal of provincial Cabinets by the provincial Governors'.<sup>1</sup> It has been disclosed that Nurul Amin justified his support which he soon extended to the new prime minister in 'the inner Councils of the party ... on the basis that co-operation between the provincial Chief Minister and whoever was the Central Government was administratively essential'.<sup>2</sup>

On April 29, Nurul Amin apprised his working-committee of the 'political situation created by the dismissal of the Nazimuddin ministry'. The committee which deliberated for six hours decided 'to place all facts' before the council session to be held on May 9. That there was some opposition within the working committee against any move to extend support to Mohammad Ali was indicated by the fact that Akram Khan reportedly tendered his resignation from the committee in the first week of May.<sup>3</sup> The council session was preceded by a period of intense negotiations, with Mohammad Ali, now in Dacca, taking a leading part. Amin strengthened his position by successfully obtaining a vote of confidence from his parliamentary party on the day before the council session, and on

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1. G.W.Choudhury, Democracy, pp. 55, 60-64; Callard, Political Study, pp. 162-63.

2. Imdad Hossain, 'op.cit.', p. 84, footnote 32. Also see pp. 74-7.

3. Azad, May 1-7, 1953; Dawn, May 12, 1953.

May 9, led the council to adopt the following resolution expressing 'unconditional' support to Mohammad Ali,

The Council of the East Pakistan Provincial Muslim League discussed the situation created by the dismissal of the Nazimuddin ministry and the appointment of Mr. Mohammad Ali as Prime Minister as well as various problems confronting the country at this critical juncture and resolved that the Council offers its full support to Mohammad Ali as Prime Minister of Pakistan. 1

The EPML parliamentary party issued a 'directive' on May 10 to the members of the Constituent Assembly from East Pakistan to offer their 'unstinted support' to prime minister Mohammad Ali.<sup>2</sup> In July, the EPML working-committee recommended the name of Mohammad Ali to the central parliamentary board for nomination for election to the Constituent Assembly in a vacant seat from East Pakistan. Mohammad Ali was duly elected member of the Constituent Assembly and leader of the Muslim League parliamentary party in September, 1953.<sup>3</sup>

The crisis was thus resolved as primarily pragmatic considerations brought the new prime minister and the EPML leadership to compromise their previous political standing and extend mutual co-operation. Unity of command at the government and party levels enabled the prime minister from

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1. Text of the resolution, as reported in Dawn, May 10, 1953.
  2. Ibid., May 11, 1953. It may be noted, however, that the 'directive' was somewhat anomalous in that Mohammad Ali was not yet a member of the Constituent Assembly and that Nazimuddin was still the leader of the Muslim League in the Constituent Assembly. It was only towards the end of June that Nazimuddin resigned from party leadership. Any possible deadlock was avoided by not calling the Constituent Assembly in session during this period.
  3. Azad, July 28, Sep. 22, 1953.

his position in the government to successfully obtain support from the provincial party and the national organisation. The highly unconventional acts of the Governor-General in dismissing a prime minister who apparently enjoyed the confidence of his party at the time and the arbitrary appointment of his successor from outside the ranks of the party, were thus legitimised.<sup>1</sup>

A further development in this connection, illustrating the nature of relationship between the central and provincial leaderships at the party and government levels, may be noted here. After his dismissal, Nazimuddin in a clumsy effort to re-assert his position nominated his working committee in June 1953 - some eight months after his re-election as President of the PML at the Dacca session. His nominations did not include the prime minister, a startling departure even from the practice which obtained before the League constitutional amendment of 1950. Nazimuddin's nominees included members of the Constituent Assembly, Presidents of provincial party organisations and chief ministers. From East Bengal his nominees were Amin, Akram Khan, Fazlur Rahman and Nur Ahmed.<sup>2</sup> The move undertaken at a time when the prime minister was away from the country, may be seen as an attempt to consolidate his position at the various levels of power. The first reactions, however, came from the two chief ministers. Feroz

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1. It must be observed here that this has been examined purely from the position of the EPML at the exclusion of party politics at the centre and the West Pakistan provinces, where there was substantial approval and support for the change of leadership. The significance of the Governor-General's sanction behind the new prime minister must not also be minimised.

2. For list of nominees, see, Azad, June 13, 1953.

Khan Noon of Punjab refused on the ground that acceptance of his nomination would be adverse to the 'national interest'. Nurul Amin criticised the President for the exclusion of the prime minister, who 'has already received unanimous support from the EPML Council and parliamentary party' and stated that the 'activities of the League President would create misunderstanding between government and the League and would weaken the country'. There were also others who expressed their inability to join the working-committee.<sup>1</sup> The daily Azad, owned by Akram Khan, however, justified Nazimuddin's action and regretted the decisions against joining the working committee.<sup>2</sup>

Unable to register enough support and the move for bringing a no-confidence in him gaining ground, Nazimuddin resigned from Presidentship of the party towards the end of June.<sup>3</sup> Mohammad Ali was elected to the office in October and almost immediately upon his election, he announced nominations of five of his working committee members which included the chief ministers of Punjab and East Bengal.

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1. Nur Ahmed, a Constituent Assembly member from East Pakistan in a letter to the President urged him to accept his resignation, and to nominate Mohammad Ali in his place! Nazimuddin's move was also publicly criticised, among others, by A. Sabur, publicity secretary of the EPML and Tafazzal Ali, a member of the East Pakistan cabinet. Azad, June 16-17, 1953; Statesman, June 19-20, 1953.
  2. Azad, editorials, dated June 17-18, 1953.
  3. There was already a move to requisition a meeting of the PML council to consider a vote of no-confidence in Nazimuddin. Ibid., May 29, June 1, 21-23, 1953.

## 6. 'Minority' politics.

With independence, a decision had to be taken as to the future of the organisation of the Indian National Congress which remained in the provinces that now constituted Pakistan. The East Bengali Congressmen in particular formed a strong lobby against any dissolution of the Congress organisation in Pakistan. They favoured the retention of at least some organisational link with the Indian Congress. On the eve of the first AICC meeting after independence, held in November 1947, Congress members of Pakistan Constituent Assembly and legislative assemblies and the AICC members living in Pakistan met at New Delhi under the chairmanship of the leader of the Congress party in the Pakistan Constituent Assembly, Kiron Shankar Roy of East Bengal, to discuss, among other things, the duties and functions of the Congress in Pakistan.<sup>1</sup> When subsequently the Congress constitution subcommittee recommended the liquidation of Congress organisations outside India, the East Bengali Congressmen urged upon the All-India Congress leaders, shortly to meet in an AICC session, to reconsider the

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1. Statesman, Nov. 17-19, 1947; Azad, Nov. 15-19, 1947, also see editorials of Nov. 15 and 19. The Azad commented when the AICC did not take any decision regarding the Congress organisation in Pakistan in this session, that if the organisation were retained in Pakistan or if it remained as a part of or maintained links with the INC, then the Congress members in Pakistan must also believe in the ideal of a united India. Until the final decision was taken to limit the jurisdiction of the Indian Congress within the Indian Union, Muslim League members also sometimes commented on the 'allegiance' of the Congress members of the East Bengal assembly to the Indian Congress. See, e.g. EBLAP, vol. I, no. 1, p. 151 and no. 2, pp. 9, 32.



matter and postpone final decision till the next session.<sup>1</sup>

The President of the Bengal Provincial Congress, himself from East Bengal, stated the problem thus after the AICC postponed consideration of the matter till the following session to be held in April: the 'question whether the Indian National Congress should function in two separate and independent states' posed certain difficulties, but it was also felt 'equally difficult to abandon the seceding parts altogether from the fold of Congress'. He further stated that it was primarily in consideration of the East Bengali Congressmen that the AICC postponed any decision on the issue.<sup>2</sup>

In April, 1948, the AICC adopted the new Congress constitution which restricted the organisation of the Indian National Congress within the territorial boundary of India. With the withdrawal of Congress jurisdiction<sup>3</sup> and the proposed reconstitution of the West Bengal PCC,<sup>4</sup> the initiative now rested upon the Congressmen in East Pakistan<sup>5</sup> to determine

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1. See, the text of the telegram sent by Kiron Shankar Roy to Rajendra Prasad, the Congress President, with copies forwarded to Pundit Nehru, Sardar Patel and Maulana Azad. Other East Bengali Congressmen, e.g., Srish Chandra Chattopadhyaya and Rajkumar Chakravarty (deputy leader and secretary of the Congress party in Pakistan Constituent Assembly, respectively) and Pratap Chandra Guha Roy (Congress member, East Pakistan assembly) also sent similar appeals. Star of India (Calcutta), Feb. 21, 1948; Azad, Feb. 21, 1948; Statesman, Feb. 21, 1948.
  2. Statesman, Feb. 25, 1948. For statement of the joint secretary of the AICC also on this matter, see, ibid., Feb. 27, 1948. Also see Azad editorial on Feb. 29, 1948.
  3. The constituents of the Congress, determined by article 3 of the constitution, did not include those provinces or former parts of provinces which now formed Pakistan. Statesman Apr. 25 1948.
  4. Azad, May 14, 1948.
  5. Congress organisation virtually ceased to exist in West Pakistan and very few Congressmen were there after independence which witnessed mass Hindu migrations. Ibid., Feb. 29, 1948 (editorial).

their course of action. While a relatively large section of the AICC and BPCC members in East Pakistan favoured a reconstitution of the Congress organisation, it was reported that another section differed sharply, advocating a new party with a name other than Congress.<sup>1</sup> This latter group headed by such eminent Congress members as Kamini Kumar Dutta (MCA), Dharendra Nath Datta (MCA, MLA) and Pravash Chandra Lahiry (MLA), stressed the need for a new approach in the changed political circumstances and finally formed a new party called the Pakistan Gana Samiti in July 1948 with jurisdiction confined only to East Pakistan.<sup>2</sup>

In May that year the Congress MLAs of East Pakistan under the leadership of Basanta Kumar Das took the decision to retain the Congress assembly party.<sup>3</sup> The Congress members of the assembly also took a leading part<sup>4</sup> in organising a convention of Congress workers of East Pakistan in August 1948. The Pakistan National Congress was formally established at this convention. Moving the resolution for the formation of the PNC, Suresh Chandra Das Gupta observed that the principles which Gandhi had inculcated in the Congress were of universal application. The Congress of Gandhi's 'dreams and ideals'

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1. Ibid., May 14, 22, June 18, July 12-29, 1948; Star of India Apr. 21, 27, 1948; Statesman, Apr. 27, June 18, 1948.

2. Azad, Mar. 19, May 29, July 19, 20, 28, 29, 1948; Statesman, July 20, 1948.

3. Azad, May 12, 1948.

4. The following names in particular may be mentioned: B.K.Das (leader of Congress assembly party), Monoranjan Dhar (then assistant secretary of the assembly party), Satin Sen, Monoranjan Gupta, Suresh Chandra Das Gupta. The name of Srish Chandra Chattopadhyaya, leader of the Congress party in the Constituent Assembly, must also be noted. The above is based on reports appearing from time to time during this period in ibid.

could not be allowed to die in Pakistan 'because of division of the country or the withdrawal of Congress jurisdiction from Pakistan'. 'Congress which had shown the path of political freedom for over half a century', he stated, 'need not be ashamed of its name'. Basanta Kumar Das, leader of the Congress assembly party, observed,

So far as the name of the Congress was concerned it was a mistaken notion that it repelled Muslims or that it would offend the government of East Bengal. 1

The PNC was, therefore, not a new political party, but the Indian Congress organisation in East Pakistan which had ceased to exist under the AICC decision of April 1948, revived as a political party of Pakistan with certain consequential adjustments. The existing structure of the Congress organisation was adopted and all the existing primary, sub-divisional and district committees were granted recognition. It was decided that the General Body of the organisation was to consist of 'old members of the BPCC living in Eastern Pakistan and some others from different districts who have filled the vacancies in place of those BPCC members who have opted for WBPC'. The organisation was confined to East Pakistan only. 2

It is not known, however, how far the party was effectively organised throughout the province. 3 Kamini Kumar Dutta, pleading the need for a new party, had pointed out that

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1. Statesman, Aug. 19-20, 1948; Azad, Aug. 19-22, 1948.
  2. Statesman, Aug. 19-20, 1948; Azad, Aug. 19-22, 1948.
  3. Monoranjan Dhar, secretary of the party (1948-58) was not in a position to supply any year by year membership of the party. However, he stated that by 1954 the membership rose up to 10,000 and maintained that 'generally the bulk of the minority community were energetic voteries of the PNC'. The present writer is indebted to Monoranjan Dhar who apart from granting an interview at Mymensingh in April 1969, also kindly answered the subsequent queries by correspondence.

the question of reviving Congress had little justification as before independence the majority of Hindus or Muslims of East Pakistan were not members of the Congress.<sup>1</sup> It was stated later that the Congress lost a large percentage of membership due to migration of the minority community.<sup>2</sup> The party at the highest level, somewhat heavily represented by Congress members of the East Pakistan assembly<sup>3</sup> was composed of very active Congressmen.

The Pakistan Gana Samiti formed in July 1948 by the seceding Congressmen was, however, not entirely composed of former Congress members. The political convention at Comilla where the party was formally organised was reportedly attended also by members of the Socialist party, the Revolutionary Socialist Party, Forward Block and certain other parties.<sup>4</sup> Thus, primarily composed of seceding members from Congress and yet not exclusively identified with it, the Gana Samiti had a great potential to develop independent policies and emerge as a significant party in the legislature.<sup>5</sup> But strangely, after having seceded from the Congress body and discarded the Congress name, the members of the Gana Samiti accepted the leadership

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1. Azad, July 20, 1948.

2. Statesman, Mar. 11, 1954.

3. For example, Suresh Chandra Das Gupta was elected the PNC President, B.K. Das one of the vice presidents and Monoranjan Dhar the secretary. The office bearers elected in 1948 continued in office throughout the period.

4. See, statement of the secretary of Dacca District Forward Block, Azad, July 29, 1948; also, letter of Rajkumar Chakravarty (Secretary, Congress party in Pakistan Constituent Assembly) to ibid., August 22, 1948.

5. The provincial executive of the party itself included at least 5 MLAs. See list of executive members of the Gana Samiti in ibid., July 20, 1948.

of the PNC in the East Pakistan assembly. The proceedings of the assembly reveal that the Gana Samiti did not follow any independent line and in fact functioned as part of the Congress assembly party.<sup>1</sup> Kamini Kumar Dutta who played a leading role in forming the party and later served as a Chairman, was reported to have stated at the convention that the 'new organisation was not formed for parliamentary activities but to work for the rights and privileges of citizens'.<sup>2</sup> It thus left undefined the role of the MLAs who formed, or became members of, the Gana Samiti. The secession of the group from Congress led by some highly prominent Congressmen to form a new party and yet their virtual unity with the Congress in the assembly may perhaps be explained by the existence of some element of struggle for control over the Congress organisation and also by some apprehension that any division of original Congress votes in the assembly might prove detrimental to the interests of the minority community as a whole.

The total seats for minorities in the assembly were 47.<sup>3</sup> But the number of actual sitting members varied between

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1. This point has been stressed by Monoranjan Dhar and Bhabesh Chandra Nandy (a PNC member of second assembly and a member of the first Constituent Assembly) in course of interviews with the present writer in April 1969. They drew attention to the 'anomalous position' that Dharendra Nath Datta who was one of the founding members of the Gana Samiti and the party's general secretary, was also the deputy leader of the Congress assembly party. It may be noted here that Datta had been elected deputy leader of the Bengal Congress party of the Muslim majority section of the Bengal Assembly (i.e. the section which would henceforth constitute the assembly for the new province of East Bengal) after partition of the province became almost a certainty under June 3 Plan of the British government. He followed Kiron Shankar Roy as leader of the party. But in April 1948, Datta was again elected as deputy leader, with Basanta Kumar Das of Sylhet, formerly belonging to Assam, elected as leader of the party. Statesman, June 24, 1947, Apr. 8, 1948.
  2. Ibid., July 20, 1948.
  3. Forty-six General seats, which included 18 reserved for Scheduled Castes, and one Christian seat. See pp. 2-3 above, particularly Tables 1 and 2. Table 1 shows the number of members from the different constituencies, while Table 2 indicates the actual sitting strength of the House, again constituencywise, at the start and towards the end of the assembly.

about 38 to 41. In addition, at the start of the assembly, there were six Hindu members among those elected from special constituencies; towards the end, there remained only one. The Congress party was claimed to have 38 members in the assembly.<sup>1</sup> But the claim appears to have been somewhat exaggerated, for the SCF was said to have a membership of about 10 in the House.<sup>2</sup> The PNC thus formed a very small opposition in the assembly. As the quota of representation in the assembly was fixed on communal basis, the PNC, practically a Hindu party,<sup>3</sup> could at the most expect to have a strength totalling the number of seats elected from the General, including Scheduled Caste, constituencies. The minority representation being considerably below that of the Muslim's, reflecting the population composition of the province, the Congress could never have sufficient numerical strength to present itself as an alternative government or act as an effective opposition. Also, any loss of Muslim League voting strength in the assembly through defection in its ranks, did not imply any corresponding increase in the Congress strength. Because those who left the League were careful not to identify or associate themselves with the Congress opposition in the assembly. Except for the brief

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1. By Monoranjan Dhar (see p.146 footnote 3 above) who was first assistant secretary and from 1948 secretary of the Congress assembly party. His figure obviously includes all members of the Gana Samiti - quite rightly in that it did not appear to have any distinct entity in the House - as well as almost the entire Scheduled Caste seats.
  2. See p.166.
  3. The Congress with its past record of opposition to the creation of Pakistan was not likely to have appeals to the Muslims in the nascent state, even though there was no organisational link of the Congress in Pakistan with the Indian National Congress and the former was theoretically a new party. The present writer has come across only one or two Muslim names amongst the PNC membership in newspaper reports of the period. One of the five vice-presidents of the PNC organisation was a Muslim from the district of Bogra, named Azizul Bari.



period following the police firing in February 1952 and some rare occasions subsequently,<sup>1</sup> the government never faced any combined or concerted Hindu-Muslim opposition. Thus the official opposition in the assembly represented only the minority; in effect, mostly the Caste Hindu minority, for the SCF extended co-operation to the government. In this sense, the PNC was not fully a parliamentary opposition. Its proper role was in fact as spokesman of minority rights and interests. While the rituals of parliamentary opposition were performed - the PNC initiating criticisms of the governments administrative, financial and legislative policies, its composition and its cause marked it out as a party with too narrow a base to perform the role of parliamentary opposition. It has been observed,

... being composed exclusively of non-Muslims, its capacity to canalise the grievances of the people as a whole was insignificant. It satisfied itself with the role of a minority organisation which would champion their rights and promote their interests. As such, in the extra-ordinary circumstances following Partition, it could not hope to become the party to which people would turn away from League. 2

The position of the PNC in the legislature may be adequately grasped only in the light of the minority situation in East Pakistan. In his very able assessment of the problem, Keith Callard has stressed, among other factors, the impact of the pre-independence position of the Hindu community towards the creation of Pakistan upon the attitudes of both the majority and minority communities in the post-independence period.

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1. See particularly, EBLAP, vol. VIII, and also, for example, vol. X, no. 2, pp. 34-262; vol. XI, no.2, pp.153-275.
  2. Parmatma Sharan, Political System of Pakistan (Meerut : Meenakshi Prakashan, 1968), p. 235; also see, Callard, Political Study, pp. 84-5.

He has stated,

Responsible spokesmen for the Hindus have asserted unequivocally that they accepted all the obligations of citizenship of Pakistan. But it was not to be expected that the Hindu would be able to share all the emotions of his Muslim compatriots. <sup>1</sup>

The strained relationship of Pakistan with India further complicated the minority problem. The various connections which the East Pakistani Hindus were so anxious to maintain across the border and their reluctance to apportion any blame to India for her alleged anti-Pakistani policies, often aroused doubts as to their loyalty to the state itself. <sup>2</sup> It has been observed that irrespective of the countries' legal and constitutional framework, the status of the minorities in India and Pakistan had never been 'free from strains and stresses'. Their economic condition had gone down; their culture often seemed to be in danger. They lived in perpetual fear and anxiety and were often exposed to dangers and threats at any worsening of Indo-Pakistan relations. Their loyalty to the state was often questioned. On the position of Hindus in East Pakistan, it was noted,

... It is neither claimed nor pretended that all is well with Hindus in East Pakistan. Before the partition of the sub-continent, the Hindus in East Pakistan, though constituting

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1. Political Study, p. 238.

2. Ibid., pp. 232-40. For references of some of the factors and attitudes which contributed to the complexities of Indo-Pakistan problems and to complications in the minority situation in the country, also see for example, G.W. Chowdhury Pakistan's Relations with India (London: Pall Mall Press, 1968), particularly chapters 5 and 6; Ivor Jennings, Problems of the New Commonwealth (Durham, N.C.: Duke University Press for the Duke University Commonwealth-Studies Centre, 1958), pp. 99-101; Richard D. Lambert, 'Factors in Bengali Regionalism in Pakistan', Far Eastern Survey, vol. XXVIII, no. 4, (April, 1959), p. 56.

a minority, had the prominent share in trade, commerce and in other professions. ... After independence, the Muslims got political power and they sought to adjust economic relations for the majority population. It cannot be denied that this was a threat to the privileged position which the minority had enjoyed so long, and is at the root of grievances. The Hindus in East Pakistan had been in the precarious position of an elite - precarious because, even before partition, Muslim education and social reforms were undermining their position, and after independence their position became more untenable. It was hard for the Hindus of East Pakistan, who constituted an upper class, to adjust to the political ascendancy of the Muslims, and it was particularly difficult for them to be reconciled to the mere idea of Pakistan. 1

The PNC represented the minority community in the legislature. Its members, as members of the Indian Congress, had opposed the creation of Pakistan. When the subcontinent was partitioned to concede the Muslim League demand of Pakistan, they successfully forced the partition of the province, and the predominantly Hindu-populated West Bengal, which contained the province's commercial and industrial centres, joined India. It was difficult for these former members of the Indian Congress, now only under a different name in Pakistan, to pay ungrudging loyalty to the state. While on occasions, it was declared by Leaguers in responsible position that the loyalty of the PNC members was not in doubt, it was nevertheless apparent that there was a lack of complete trust. Perhaps a few samples will illustrate the point.

We have always acknowledged that, so far as the Congress Party is concerned, they have been trying to be helpful and I can tell them that in most of the districts there have been no complaints about their activities. On the other hand, they have always been trying to

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1. G. W. Choudhury, Relations with India, pp. 185-6.

help (the) Government in maintaining law and order.... I want to assure them that, so far as these 'enemies of the State' are concerned, no reference has been made to them. But I am sure, that they themselves will not deny that there are people who think that there is still a possibility of reunion of the two parts of Bengal. There are such people, who are working for that purpose, and we have got to be careful. ... there is a group of people who are trying to unite East Bengal and West Bengal. 1

If they (Congress members) think that because they were against the establishment of Pakistan and that they fought for one India and therefore all suspicion will be with them, I cannot be held responsible for that. So far as I am concerned, I have got no suspicion like that. ... Mr. Bhadra said with some force that if there was re-union we will not lose but we will gain because we have in our possession the greater part and they have the smaller part. He also said if there is Jucta Bangla (united Bengal) there is nothing to fear, but we feel that if there is union of two Bengals that will not be in the interest of Pakistan. That is how we differ .... who is responsible for this partition? We know that we have got this truncated Pakistan for their sake. ... We are not responsible for this partition.... we would have got the entire Bengal - and the large and big cities and everything. At that time as you know, Sir, I was the Speaker of the Assembly and I know the Muslim members voted for one Bengal but the Hindu members voted for the partition of Bengal. 2

Members of the PNC saw no inconsistency in their former stand of opposition to the creation of the state itself

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1. EBLAP, vol. 1, no. 4, pp. 81-2. The speaker was Khwaja Nazimuddin, then the chief minister of the province.
  2. Ibid., vol. VIII, pp. 99-100. The speaker was Nurul Amin, then the chief minister of the province. J.N. Bhadra of the PNC had earlier observed, commenting upon the chief minister's statement on language disturbance in which it had been stated that the 'enemies of Pakistan' gave slogans of Jai Hind and Jucta Bangla chai in a procession, 'We gain if there is a united Bengal; in that case West Bengal will be ours. We are 4 crores and 20 lacs and they are only 2 crores and a few lacs. Why will we be weak? Our East Bengal is strong; West Bengal will fear us'. (Translation from original Bengali). Ibid., pp. 9-29.

and their new position as citizens of the state with the obligations and loyalties which this entailed. Given a certain amount of time and toleration, it was stated, they would adjust to the new role of loyal and abiding citizens of the new state.

Perhaps many will say that because we were not in favour of partition of the country, we have no sympathy for Pakistan. But when we had first joined in the independence movement there was no question of Hindustan and Pakistan .... When afterwards for various reasons it (Pakistan) arrived, it is not unnatural if on the part of some of us there is some delay in accepting it with our heart and soul. 1

... I quite understand the reasons of the majority community for suspecting the allegiance of the minorities and I also realise the anxiety in the minds of the minorities about their position and status in the State. This feeling can be properly studied against the background of partition which took place under most tragic circumstances. Therefore it might not be unnatural for both the minorities and majorities of both the States to harbour suspicion against each other.... I would compare the position of minorities to that of a newly married girl. The newly married girl is snatched away from her moorings and transplanted in an altogether new surrounding. But as soon as she is saddled with the responsibilities in her new house she finds it difficult for her to pay visits to her parents in spite of the repeated requests from them. Similarly, here also, both in India and Pakistan, a certain amount of time is necessary for the minorities to adjust themselves to the new set-up, and I would plead for toleration on the part of the majorities towards the minorities. 2

... the Hindu MLAs and all the Hindus who are living in East Pakistan are devoted to Pakistan and ... they want well of the State .... All these years

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1. Ibid., vol. IV, no. 1, pp. 189-90. The speaker was Mrs. Ashalata Sen. Translated from original Bengali.
  2. Ibid., vol. III, no. 1, p. 136. The speaker was Rabindra Nath Aditya. Later, in March 1951, he was refused leave of absence and his seat was declared vacant by the assembly under Rule 7 of the procedural rules. In course of the debate members from the government benches noted his absence from the legislature for a longer period than was provided under the Rules for Leave of absence, his failure to give specific reasons for his absence, and also alluded to his anti-Pakistan activities. See, Ibid., vol.V, no.2, pp.51-7, 281-95.

we have sedulously worked with this aim and determination to co-operate with the inevitable that has happened - the Partition of India. So, Sir, the cardinal principle with us is that Pakistan has come to stay and it is our creation. That being so we must put all our energies to build up Pakistan .... that is our creed born of a sense of realism, guiding us in all our activities .... we believe that in no foreseeable future Pakistan and India can be united again and that Pakistan cannot be destroyed. 1

But protestations like that of the leader of the opposition, above, were considered as not substantiated by facts. The ruling party's grievance was the inability of the opposition and the community which they represented to associate themselves with its declared stand on matters vitally affecting Pakistan's interests, particularly in the field of Indo-Pakistan relations.

To the members of the minority community I say that they speak of suspicion and all that. If the members of the majority community have any suspicion towards them, they should try to remove it and it can be done in this way. That in matters of policy which the Pakistan Government adopt on any particular issue and if the majority community stand by that policy they should also stand by that policy. (Cries of "Why, why" from the Opposition benches). ... I know if I say anything regarding the Kashmir issue and if the Hindus as a community stand aloof from the policy adopted by Government, that would raise suspicion amongst those who stand by it.... With regard to the concentration of Indian troops on the Pakistan border if the policy adopted by the Pakistan Government is not supported openly by a particular section of the citizens of Pakistan, naturally other sections of the people may have some suspicion. 2

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1. Ibid., vol. VIII, pp. 88-9. The speaker was Basanta Kumar Das, leader of the PNC in the assembly.

2. Ibid., vol. VIII, p. 98. The speaker was Nurul Amin, the chief minister.



There is no denying the fact that at that time in September just after the sudden and sad death of Quaid-e-Azam closely followed by ... the fall of Hyderabad, there was a sort of tension everywhere in this Province .... That East Bengal was going to be invaded by India was a common talk amongst the members of a particular community. (Voices from the Opposition: "No, no". Voices from the Government Benches: "Yes"). 1

It may be noted here that many Muslim League back-benchers, noticeably during the first years, held the view that the minority community and their representatives hardly felt any bond of affinity toward the State. Only a few instances are cited below.

There was a sinister motive to sabotage the newly born State of Pakistan for which all the Hindu officers opted for Hindustan .... It was a deliberate attempt to paralyse the State. (Voices from the Opposition: That is a lie) (Voices from the Government Benches: These are all facts). 2

...Honourable member Pravash Babu has said that the rich had been given guns but that their guns have been taken away (by the government). As far as we know, those who had riches went away to Hindustan with their wealth. Some kept their wealth in Hindustan and returned here, so why do they need guns? Many left the country with their guns at the time of partition. Why did not our government seize all their guns? 3

... my honourable friends opposite sat silent so long, but after these war cries (of India) as true citizens of Pakistan, as true citizens of this country and as true representatives of the Pakistanis, they should stand up on the floor of the House and make statements decrying those war mongers. (Applause.). 4

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1. Ibid., vol. III, no. 2, p. 150. The Speaker was Nurul Amin, the chief minister.
  2. Ibid., vol. I, no. 2, p. 27. The Speaker was Abdus Sabur Khan.
  3. Ibid., vol. III, no. 2, p. 133. The Speaker was Mohammad Abdus Salam. The implied assumption was of course that these wealthy people were Hindus.
  4. Ibid., vol. IV, no. 8, pp. 160-1. The Speaker was Shamsuddin Ahmed Khondker.

The PNC was independent of the Indian Congress and functioned solely within the jurisdiction of Pakistan, but it was apparent that the members failed to adjust themselves entirely to the severance of the organisation or the province from the Indian body. Instances, quite minor in their practical effect but no doubt somewhat profound in their emotional impact at the time, may be noted here. In course of the passing of the East Bengal State Acquisition and Tenancy Bill, members of PNC explaining their stand on the issue recalled the decision of the All-India Congress on this matter before independence when they were part of that organisation and cited the recent instances of the abolition of zamindari in some Indian provinces by the Indian Congress in pursuance of that decision. When, soon after independence, the East Pakistan government took actions to ban the Ananda Bazar Patrika and some other Indian newspapers published from Calcutta, the PNC members raised the matter in the assembly and put several questions in spite of, what was stated to be, the anti-Pakistan propaganda and vilification of Jinnah carried on by these papers since the birth of Pakistan.<sup>1</sup>

While the PNC constituted the official opposition in the East Pakistan assembly, it could not be a parliamentary opposition in the full sense of that term, Since cabinet accountability is a basic feature of parliamentary government and since that accountability in turn depends for its ultimate sanction on the power of the legislature to bring about the downfall of one government and its replacement by another, it is essential for the working of such a system that either actually

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1. Ibid., vol. I, no. 4, pp. 81-2; vol. II, pp. 24-5, 47, 52-55; vol. III, no. 1, pp. 55-6; vol. IV, nos. 1-2.

or potentially, an alternative government should be available. The PNC could never accede to the powers of government, for its loyalty to the State itself was not considered to be absolutely beyond doubt.<sup>1</sup> Several points may be stressed here. This certainly offers some explanation as to why the Hindu and Muslim opposition did not join forces on a workable basis. Also, when the apparent solidarity of the Muslim League party is contrasted with the party defections of the second legislature, the existence of a solid block of Hindu and Congress opposition in the first appears somewhat to have acted as deterrent to any significant disintegration of the Muslim League. This is also borne out by the fact that in legislatures in the West Pakistan provinces which consisted virtually only of Muslim members, Muslim League cohesion promptly broke down. It may be noted that when the PNC came to power in coalition governments during the second legislature, it had already lost its claim to be the representative of the minority community. The 1954 election was fought in the Caste Hindu seats mainly between the PNC and the Minorities United Front. Soon after election the MUF and a section of the Scheduled Caste Federation formed a parliamentary party, called the United Progressive Party, which was led by those who were in the front ranks of the Gana Samiti.<sup>2</sup>

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1. Extensive quotations from the proceedings of the assembly have been provided above to capture the prevailing mood in the assembly. Such quotations could be multiplied. For comments on the role of the PNC in the central legislature, see G.W.Choudhury, Democracy, pp.50-1.
  2. The MUF was formed of the Gana Samiti, the Socialist party and the Abhay Ashram. Before the election took place, there was an unsuccessful attempt to join the ranks of the PNC and the MUF with an agreed list of candidates. Dawn, Feb. 3, 1954; Azad, Nov. 25, 1953.

Partly, the atmosphere persisted in the first assembly because those who had opposed the creation of the State retained their individuality and were not absorbed in any integrationist party. The Muslim League by its very nature and the PNC in practice were both exclusivist parties in that they recruited their membership from particular sections of the community which were mutually exclusive. It is in this light that the pleas for a National League almost immediately after independence, may be appreciated.<sup>1</sup> Of the parties in the second legislature, on the other hand, the Ganatantri Dal entered the Assembly with a mixed composition and the largest single party, the Awami Muslim League, took the decision in 1955 to open membership to all.

Of course for the Congress in Pakistan there was the example of the dissolution of the Muslim League organisation in

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1. It must be noted here that whether a party was open only to Muslims had little practical consequence for the West Pakistan provinces either in internal or in federal politics, because the entire minority population in West Pakistan comprised only 2.9 per cent of the total population (distributed as follows: Caste Hindu - 0.5, Scheduled Caste - 1.1, Christians - 1.3). But its practical significance for East Pakistan must not be under-estimated. A sizable segment of the population (23.2 percent total minority population, distributed as follows: Caste Hindu - 10, Scheduled Caste - 12, Christian - 0.3, others - 0.9), about a fifth of the composition of the provincial assembly and a substantial quota of its representation to the federal legislature (13 out of 44 seats were for General Part i.e. minorities) consisted of those who, it was thought, could not be taken on complete trust. A National League or similar party could have drawn at least partially from this section and thus helped in some degree to generate confidence and achieve political integration. (Percentage and distribution of minority population obtained from Census of Pakistan, 1951, vol. I, p. 72).

the various provinces in India.<sup>1</sup> The fact that many of the Muslim Leaguers favoured the dissolution of the League indicated that they wished to be integrated into the mainstream of political life of the country. But it has been noted above that the Congress members in East Pakistan were staunchly in favour of retention of the Congress organisation and maintenance of some organisational link with the Indian Congress. In this respect it may be said of those who seceded from the Congress

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1. It may be recalled that the Karachi session of the council of the All-India Muslim League in December 1947 had bifurcated the All-India organisation into the Pakistan Muslim League and the Indian Union Muslim League and had appointed Mohammad Ismail of Madras as convenor for the first session of IUML council to decide the future constitution etc. The council finally met in March, 1948, and, with only 30 of the 147 members in attendance, decided to retain the Muslim League in India. The council resolved that the Muslim League would 'henceforth devote its attention principally to the promotion of the religious, cultural, educational and economic interests of the Muslims of the Union'. (Emphasis added). The decision to retain the political nature of the organisation was not universally acclaimed by the Muslim Leaguers in India. It has been rightly observed that the 'creation of Pakistan left the Muslim League (in India) for the most part looking unseemly and feeling futile'. (W.H. Morris-Jones, The Government and Politics of India (2nd ed: London: Hutchinson University Library, 1967), p. 89). There was in fact a noticeable tendency from the very outset to dissolve the Muslim League in various provinces. For example, the Muslim League party in the legislative assembly was dissolved in Assam, Bihar, U.P. and West Bengal by the middle of 1948. In each case, the leader of the party, announcing the decision in the assembly, stressed the changed circumstances and the need for 'non-communal' organisation. Subsequently the council of the U.P. Muslim League passed a resolution to the effect that the League in that province ceased to 'exist as a political organisation'. The working committee of the Assam Muslim League passed a resolution dissolving the provincial Muslim League. Statesman, Mar. 10-25, Apr. 17, June 1, 1948; Azad, Mar. 19, 25, 1948; Star of India, Mar. 1, 10-11, 1948. On the decision of the Muslim League in the Indian Constituent Assembly to disband, see, Statesman, Mar. 14, 1948 (editorial); Star of India, Mar. 1, 1948.

to form the Gana Samiti that they had the vision but not the courage to effect a complete break with the past. However, a comparison between the Indian and Pakistani condition cannot be drawn too far in this matter. The membership of the Indian Congress, the most significant political party of the country, and open to all, was in a position to attract members of a party like the Muslim League to join its ranks or to encourage such parties to organise themselves on a broader base with membership open to all.<sup>1</sup> The Muslim League constitution, on the other hand, did not permit of any non-Muslims in its fold.<sup>2</sup> Abul Mansur Ahmad has observed that in fact the East Bengal cabinet members and in particular Khwaja Nazimuddin dissuaded the top Congress leadership in East Bengal from dissolving the organisation after independence, when there was strong pressure from one section of the Congress to do so. He has maintained that the Muslim League leadership thus encouraged the Congress to take a course of action which for all practical purposes kept them engaged in communal politics so that they could themselves indulge in communal politics in the country. And yet, he has pointed out, the Muslim League leaders later criticised the Hindus for retaining the Congress

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1. It has been observed in 1948, however, that the Congress 'has of late done notably little to encourage Muslim membership'. Statesman, Mar. 14, 1948. Editorial.
  2. For membership qualifications, see p.71, footnote 2 above. It was reported that the working committee was empowered to waive this qualification in the original draft constitution in 1948. But the council which adopted the constitution amended the provision in the draft constitution to prohibit anyone but a Muslim from being a member (Statesman, Feb. 26, 1948). The available copies of the Bengal Provincial Muslim League constitution before independence show that the working committee had power to waive all or any of the qualification for membership in special cases. Constitution and Rules of the Bengal Provincial Muslim League, 1940, 1944.



party in Pakistan as in the past it had taken anti-Pakistan stand.<sup>1</sup>

It has been observed that 'for most political parties the possibility of gaining political office is a major force sustaining support'.<sup>2</sup> Under a system of separate electorates, however, the PNC as representative of the minority community could never come alone to gain political office. Because, under such a system, religious communities retained their distinct entities in the political field. Political divisions and the questions of majority and minority rested on the religious differences within the society and as such tended to assume a fixed and permanent nature. For the representative of the Hindu minority in Pakistan, there was the added disadvantage of association of its role in the past with its present distinct entity in the political field. Besides, separate electorates encouraged political parties to concentrate on particular communities to the exclusion of the rest. The PNC, therefore, demanded joint electorate in Pakistan. In doing so it also followed its pre-independence tradition of opposition to the granting of separate electorates for religious minorities. It was able to build its demand on the basis of one Pakistani nationhood, with no community or political party relegated to a position of permanent minority in the political field on grounds of religious divisions

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1. Op.cit., p. 246.

2. Almond and Powell, op.cit., p. 120.

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in the society.

Today we are not an effective opposition, because we are only the representatives of the small Hindu community. We are not here as representatives of the Hindu-Muslim population. We demand joint electorate so that we may come here as representative of the Hindu-Muslim people. We do not want to be representative of any community. 2

This Opposition party which is based upon separate electorate has not got the potentiality of being converted into a majority party and, as such, it cannot function effectively and, ... democracy cannot function without an (effective) Opposition Party. 3

There are two advantages of joint electorate. The first is that though there may be differences between Hindus and Muslims in matters of religion, in matters of state there are no distinctions. (Secondly) we must remain as permanent minority unless there is joint electorate. 4

That the representative of the minority community should willingly want to forego what its own experiences in undivided India had shown to be a political safeguard for the minority community, appeared to the Muslim League, on the other hand, to be motivated by some ulterior considerations. To take one

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1. For the PNC's stand on joint electorate in the Constituent Assembly, see CAPD, vol. XI, no. 3. The Constituent Assembly alone was competent to take decision on the method of representation as it involved constitutional principles. But the question was often raised by PNC members and also by different factions of the SCF in the East Bengal assembly during 1948-53 as the matter was considered to be of vital importance. Under provisions of the 1956 constitution, however, the provincial assemblies were formally required to record their views on the system of electorate so that the Parliament, after taking these views into consideration, could frame acts accordingly for the National Assembly and the provincial assemblies.
  2. EBLAP, vol. VII, p. 97. The speaker was Pravash Chandra Lahiry. Translation from original Bengali.
  3. Ibid., vol. V, no. 1, p. 460. The speaker was Dharendra Nath Datta.
  4. Ibid., vol. VIII, p. 115. The speaker was Suresh Chandra Das Gupta. Translation from original Bengali.

example, the publicity secretary of the EPML commented in the assembly,

(Now) the slogan is about joint electorate.  
 Tomorrow the same slogan will be converted  
 (in)to (one for) joint and united Bengal. 1

Besides, the PNC's stand on this matter was offset by the official line of the Scheduled Cast federation, which favoured separate electorate.<sup>2</sup> In 1952, the Constituent Assembly decided in favour of the system of separate electorate for the ensuing election in East Pakistan.<sup>3</sup>

Separate electorates by preserving the distinct identity of the minority community in the electoral field helped to segregate their representatives, particularly the Caste Hindus and their followers, in the legislative assembly. With this isolation of the Hindu opposition and the questions of the minorities' loyalty to and identification with the State which remained in the foreground all through as noted above, the Muslim League could indeed hope to retain a 'long monopoly of power'. In fact, a large part of the Muslim League strategy apparently was directed at appeals for unity and solidarity of the 'Muslim nation' under the banner of the League, because there

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1. Ibid., vol. X, no. 1, 139.

2. The Constitution Commission in 1961 examined the question of electorates and recommended separate electorates for election to the proposed House of the People and Legislative Assemblies. The Commission's arguments in favour of the system typically reflected the Muslim League standpoint of the previous decade. (Report of the Constitution Commission, Pakistan, 1961, pp. 73-77). For an objective and analytical examination of the issue, particularly its implications for East Bengal in the field of federal politics, see Callard, Political Study, pp. 236-49. Also see, Binder, op.cit., pp. 248-9.

3. CAPD, vol. XI, no. 3.

existed a permanent 'enemy' within the state. The Muslim League election campaign in 1954 clearly demonstrates this point. In an open letter to Muslim voters, the top Muslim League leadership of the province and the national leaders appealed,

It is upon your vote that the future development, stability and well-being of Pakistan depend. Because, the eternal enemies of Pakistan and the disguised agents are on the look-out for opportunities to harm Pakistan. It cannot also be said that they are not adopting tactics in this election to make their mean intentions successful. Therefore, you must cast your votes with utmost care .... We request you to remember that votes brought your Pakistan into being, again votes might lose it. For, in the next assembly, if the 72 non-Muslim members somehow manage to influence 81 of the total 237 Muslims members then it will not be at all surprising if Pakistan's existence will be in jeopardy. 1

The East Bengal Scheduled Caste Federation met for the first council session after independence, in September 1948. The resolution of the working-committee of the former Bengal Scheduled Caste Federation for a separate organisation for East Bengal was formally adopted at this meeting.<sup>2</sup> The party constitution provided for primary, subdivisional and district Federations with their respective working-committees, the East Bengal council and working committee, and the convention.<sup>3</sup> It

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1. The 'open letter' was published in the Azad on Jan. 27, 31 and Feb. 9, 12, 1954. Translation from Original Bengali.

2. Ibid., Sep. 29, 1948.

3. A primary Federation could be centred in any village, union, thana or town and was to consist of a minimum of 20 primary members. The constitution determined the quota of representation from the lower to the higher units and the size of the respective working-committees in proportion to that of the units themselves. The working-committee of the East Bengal council was to consist of 15 per cent of the membership of the council. See, 'Constitution and Rules of the East Bengal Scheduled Caste Federation', Jagaran, (date indistinct). The copy was made available to the present writer by Rasaraj Mondal. See p. 166 footnote 2.

was claimed that the party had units all over East Pakistan, but more especially in Rajshahi and Dacca Divisions and the districts of Comilla and Sylhet in Chittagong Division. The Federation was confined to East Pakistan. There were attempts in 1953 to establish an all-Pakistan party,<sup>1</sup> which proved unsuccessful.<sup>2</sup> The influence of the assembly members of the Federation over the party organisation was apparent, for six of the eleven office-bearers elected in 1948 were members of the legislature.<sup>3</sup>

The SCF, however, was not the sole representative of the Scheduled Caste community of the province in the East Pakistan assembly. The Scheduled Caste members of the assembly were more or less evenly distributed between the SCF and the PNC.<sup>4</sup> A SCF member of the assembly attributed this not to the representative character of the Congress but to the system of joint electorate with reservation of seats, as envisaged under the Poona Pact, which clearly gave more scope to the Congress with its better organisational and financial resources, in the 1946 election.<sup>5</sup> Nurul Amin observed in the assembly,

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1. Dawn, Apr. 13, 1953.

2. The above observations are based on interviews of the present writer with Rasaraj Mondal in April, 1969. An important member of the party, he led a dissident section of the Federation against D.N. Barori, the President of the party, particularly on electorate issue and finally, claiming his faction to be the original EBSCF also put up candidates in the 1954 election. He was elected to the 1954 Assembly and subsequently to the second Constituent Assembly of Pakistan.

Rasaraj Mondal estimated the primary membership of the EBSCF to be approximately 300,000.

3. Of the remaining five, one, J.N. Mandal, was a member of the Constituent Assembly. For list of office bearers, see, Azad, Sep. 29, 1948.

4. Rasaraj Mondal would put the ratio thus - 8 to 10 members in the SCF and 5 to 6 in the PNC. J.N. Mandal, then the President of the Federation observed in July, 1948, that Scheduled Caste members of the East Pakistan assembly were 'equally divided' between the SCF and the PNC. Star of India, July 23, 1948; Azad, July 26, 1948.

5. EBLAP, vol. VIII, pp. 75-6.

The members of the Scheduled Castes in this House are divided, some within the fold of caste members and some within their own fold. Similarly, members in the country are also divided..., some within the fold of castes and some within their own fold. 1

There was an attempt in July 1948, by J.N. Mandal, the Scheduled Caste member of the central cabinet to unite the representatives of his community in the East Pakistan assembly in a 'common front' - for, divided, 'they were ignored by Treasury Benches as well as by the opposition'. His negotiations with four Scheduled Caste members of the PNC failed as ultimately the members 'backed out under the influence of Congress'. 2

The policy of the SCF was one of co-operation with the Muslim League government in East Pakistan. In fact, the Federation had also extended support to the League in the Bengal legislature before independence. For example, Mukunda Behary Mullick, Jogendra Nath Mandal and Dwarka Nath Barori, important members of the Federation who with independence became members of the central or provincial legislatures in Pakistan, had served in the Muslim League dominated coalition cabinets and the League cabinet in Bengal during 1938 to 1947. 3

It has been observed that 'in tactical moves to weaken and discredit the Congress, the League, while preserving its own exclusively communal basis, made gestures of friendship and protection towards the Scheduled Castes' in pre-partition days. 4

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1. Ibid., vol. III, no. 2, p. 155.

2. Azad, July 26, 1948; Star of India, July 23, 1948.

3. Data on the composition of Bengal cabinets of the years 1938-1946 obtained from Indian Annual Register. Also see Azad, June 9, 1950. The party compositions of the Bengal assembly, as shown in the Register, also indicate that the Scheduled Caste members were not united in one party during the period.

4. Callard, Political Study, p. 246.



Of the Federation's attitude towards the League, Rasaraj Mondal has commented that in Muslim League and Jinnah, the SCF had found staunch supporters for its pre-independence demand for a separate electorate. There was besides the bond arising out of a somewhat similar socio-economic background of these two less advanced communities of Bengal.<sup>1</sup> At the time of independence, J.N. Mondal was elected Chairman of the Pakistan Constituent Assembly<sup>2</sup> - an 'honour', as he himself observed, to the Scheduled Caste community. Upon his election, he declared in the Constituent Assembly,

... the election as Chairman of a member from a minority community augurs well with the creation of Pakistan, because Pakistan today is the result of persistent and legitimate demand of the minority community, namely Muslims of India .... People of the minority communities inhabiting Pakistan may be assured, as they have been assured repeatedly by Muslim League leaders, and particularly by Qaid-i-Azam Mr. Mohammad Ali Jinnah, that the people of minority communities would not only be treated justly and fairly but generously too. 3

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1. These comments were made by Rasaraj Mondal to the present writer in course of interviews in April, 1969. In fact, a similar point was made by the chief minister while addressing a Scheduled Caste meeting in June 1949, when he said that 'their problems were more or less akin to those of the majority of Muslims who were also backward and who had also been exploited'. (Indirect quotation). Statesman, June 21, 1949.
  2. Elected, that is, to conduct the proceedings until the election of the President and the vice-president of the Assembly.
  3. CAPD, vol. 1, no. 1, p. 2. J.N. Mondal, however, migrated to India while a member of the central cabinet. But the Muslim League party received the support of two Scheduled Caste members from East Pakistan in the Central Legislature when A.K. Das and Dhananjay Roy were given the status of associate members of the League. Das commented that he was never a Congress member. But Roy's defection was the more serious. He was elected general secretary of the Bengal Congress Assembly party of the Muslim majority section (i.e. the section of the Bengal assembly which would henceforth constitute the assembly for the new province of East Bengal) in June 1947, and again elected secretary of the East Bengal Congress assembly party in April 1948. Statesman, June 24, 1947; Star of India, Apr. 9, 1948; Dawn, Nov. 16, 1951; Mar. 27, 1952; Pakistan Observer, Dec. 15, 1949.

The proceedings of the East Pakistan assembly reveal three features of the role of the SCF members. They drew the attention of the government to the grievances of their community; generally extended support to the government's politics and measures; and, were critical of the Congress opposition. As two examples of the latter features, the SCF's stand on the government's State Acquisition and Tenancy Bill in 1949-50 and later on the electorate issue, may be cited. During the consideration of the Bill, the SCF strongly opposed the PNC's demands for increase in compensation.<sup>1</sup> The chief minister, on occasion of the third reading of the Bill, thanked 'the members belonging to the Scheduled Caste Federation' for their 'support and co-operation'.<sup>2</sup> When the electorate issue was raised in course of general discussion of the budget in 1952, Jogendra Chandra Das, general secretary of the SCF, spoke in the assembly,

The Caste Hindu members are now shedding crocodile tears for the Scheduled Castes and saying that the Scheduled Castes demand joint electorate. Claiming to be their well-wishers, they already held meetings at several places and said that the Scheduled Castes demand joint electorate. As the general secretary of the East Bengal Scheduled Caste Federation, I want to tell the government that every man and woman of the Scheduled Caste community in East Pakistan demand separate electorate, they never support joint electorate .... Several Caste Hindu members of this House have spoken for joint electorate. I want to ask them - who divided the Hindu society? For hundreds of years the Caste Hindus perpetrated injustices to the Scheduled Castes, tyrannised over them, treated them ungenerously, kept them separate. I want to explain the

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1. EBLAP, for example, see vol. IV, no. 3, pp. 22-3; vol. IV, no. 4, pp. 159-61, 187; vol. IV, no. 5, pp. 57-8; vol. IV, no. 6, p. 146.

2. Ibid., vol. IV, no. 6, p. 148.

attitude of the Scheduled Castes to them that we want to maintain social contact with the Caste Hindus, live with them together in the society ... but ... in every five years, we want to caste our votes in separate ballot box. 1

Replying, the chief minister observed,

(The Caste Hindus) are not willing to give quarters to their Scheduled Caste brethren. ... they are not allowing them to enter their cooksheds to sit with them, to dine with them, to inter-marry .... The Caste Hindus separated their brethren .... they are not giving them the same social status .... Now, Sir, general electorate has been claimed by some gentlemen which has been opposed by some other gentlemen on this side. This is a kind of domestic quarrel and we do not like to take part in that. We, as members of the majority community and of the majority party, have got to do justice.... If some particular class or section of people feel that they are suppressed and oppressed for centuries, Islam says, 'Give them justice, whatever justice they demand' .... The Scheduled Castes have already seen through the game. 2

Cooperation between the Muslim League and the Scheduled Caste Federation in the legislature was likely to provide the Scheduled Caste community with some access to governmental patronage and benefits. It also gave the Muslim League government a broader base of support in the country and by doing so, to some extent, diminished its blatantly communal feature. Scheduled Caste support for the government weakened the position of the Congress opposition in that it exposed the divisions within the minority community and deprived the Congress of the greater authority which it might have claimed if it could lead all the Hindu members of the assembly in opposition.

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1. Ibid., vol. VIII, pp. 74-5. Translation from original Bengali. This issue assumed particular significance at this time as the assembly was nearing the completion of its term and the Constituent Assembly was about to take a decision on the matter.
  2. Ibid., vol. VIII, pp. 136-7.

However, it must be noted that demonstrations by the SCF both inside and outside the legislature<sup>1</sup> of its faith in Muslim League rule in the country were not reciprocated by the League leadership through any adequate representation of the Scheduled Castes in the government, which naturally exposed the Federation to inevitable frustrations. The Federation demanded inclusion of a Scheduled Caste in the East Pakistan cabinet as early as 1948.<sup>2</sup> There was speculation at the time of ministerial appointments in 1948 and 1949 regarding the likelihood of a Scheduled Caste member in the cabinet.<sup>3</sup> It was however not until June 1950, to implement a provision of the Delhi Pact,<sup>4</sup> that D.N.Barori, the Federation's President, was appointed a minister. At the end of the tenth session of the assembly in April 1953, the chief minister thanked the 'members of the Government Parliamentary Party, members of the Muslim League party and ... Scheduled Caste Federation who gave me their unstinted support all through during these 6 years'.<sup>5</sup> Yet there was no Scheduled Caste member among the 19 or so parliamentary secretaries during these years.<sup>6</sup>

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1. For example, the first council meeting of the EBSCF was inaugurated by Nurul Amin, the chief minister, in September 1948. A meeting organised by the Federation on occasion of 'Mandal Day' (J.N.Mandal - President of SCF) in July 1949, was attended by Choudhry Khaliquzzaman, PML President, and Nurul Amin. Azad, Sep. 29, 1948; Pakistan Observer, July 20, 1949.
  2. It may be noted, for instance, that the first council session in September 1948, passed a resolution to this effect. In October, J.N.Mandal reportedly discussed the possibilities of the appointment of a Scheduled Caste minister with the chief minister of the province. Azad, Sep. 29, 1948, Oct. 4-8, 1948.
  3. Ibid., Feb. 18, Mar. 17, 1948; Oct. 3, 1949.
  4. For provisions of Delhi Pact, known also as Nehru-Liaquat Agreement, see, K.C.Saxena, Pakistan: Her Relations with India 1947-1966 (New Delhi: Vir Publishing House, 1966), Appendix-2, pp. 227-32. Also see, Azad, June 9, 1950.
  5. EBLAP, vol. X, no. 2, p. 332.
  6. The working strength of parliamentary secretaries was generally 13 to 15. The above figure refers to all such appoint-

The SCF organisation split on the electorate issue. It may be noted that in 1948, a resolution had been passed by the Federation demanding provision for higher Scheduled Caste representation in relation to its population strength.<sup>1</sup> Thus while any direct reference to the nature of the electorate was avoided, there was no doubt that the Federation claimed a politically more significant role for the community as any representation at least on population basis would put the Scheduled Castes in a numerically stronger position, as compared to the Caste Hindus, in the legislature. But by 1951, the Federation's stand clearly gravitated towards the position of the PNC on the electorate issue. For example, in March 1951, in a memorandum to Liaquat Ali Khan, the prime minister, all Caste Hindu and Scheduled Caste members of East Bengal assembly asked for joint electorate with reservation of seats for the Scheduled Caste community for a period of ten years on ground of the backward condition of the community.<sup>2</sup> D.N.Barori's subsequent advocacy of separate electorate brought about a final rift in the party. Challenge came not from the Federation members inside the assembly, whose support Barori apparently continued to enjoy for the time being, but from a section within the organisation. A Minorities Conference

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ments made during this period. See, <sup>e.g.,</sup> Ibid., vol. X, no.1, p. 89-92; Azad, Nov. 20-23, 1947, Nov. 6, 1948.

1. Azad, Sep. 29, 1948.

2. Thirty-nine out of the forty-two sitting members signed the memorandum. The remaining three, most likely not available at the time, were not politically very significant. For copy of the memorandum, see, Minority Members of the East Bengal Assembly Demand Joint Electorate, a pamphlet published in Bengali by Rasaraj Mondal on behalf of East Bengal Joint-Electorate Committee of Action, Dacca, (n.d.).

held at Comilla in March 1952, reiterated the demand for joint electorate made in the memorandum. The Conference expressed no-confidence in Barori for his 'mis-doings', demanded his 'immediate dismissal' and requested 'the East Pakistan Government to take a minister in his place from the Scheduled Castes enjoying the confidence of the minorities'. About 300 of the 500 delegates to the Conference were Scheduled Castes, but significantly, none of those present were Federation MLAs or other Scheduled Caste members of the East Pakistan assembly.<sup>1</sup> The section of the Federation which was critical of Barori and played an important role in the Conference, later held a party conference in December 1953, and 'expelled' Barori and his supporters from the party.<sup>2</sup> What in fact appears to have taken place was that the party broke into two, with Barori more in control of the assembly members, while Rasaraj Mondal and others, who led the opposition group, having a firmer grip over the organisation. This might explain to some extent the overwhelming electoral success of the Rasaraj Mondal group as compared to the other two - a further split, apparently on personal issues, having taken place in the Barori group. The internal politics of the Federation at this time, towards the close of the first legislature, was drawn into the wider field

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1. This observation is based on a list of about 53 names of 'Scheduled Caste leaders' and 'others' who attended the Conference. Only one Schedule Caste MLA's name, belonging to the PNC, was noted along with nine others who reportedly could not be present but sent messages. See, East Bengal Minorities Conference, 1952, proceedings and resolutions, published by Rasaraj Mondal on behalf of East Bengal Joint-Electorate Committee of Action, Dacca.
  2. Interview of the present writer with Rasaraj Mondal in April, 1969; Millat, Dec. 19, 1953.



of provincial politics. The conference which 'expelled' Barori, supporter of the Muslim League government, was inaugurated by A.K.Fazlul Huq. The chief guest was Abdul Hamid Khan Bhashani and others present included Shaheed Suhrawardy and the opposition leaders of the East Bengal Assembly.

### CHAPTER III

#### TOWARDS THE SECOND ASSEMBLY

1. Parties outside the legislature during 1947-54 : a background of parties which contested in 1954 election.

#### I Awami (Muslim) League

The Awami Muslim League<sup>1</sup> was formed in East Bengal as a protest against the policy pursued by the EPML leadership during reorganisation of the party after independence. Both Maulana Abdul Hamid Khan Bhashani<sup>2</sup> and Huseyn Shaheed Suhrawardy<sup>3</sup>

1. The party was known as such until 1955 when membership was opened to all and the word 'Muslim' dropped from its nomenclature. The draft manifesto of the party prepared by the first general secretary shows a strong emphasis on Islam. The need to examine the issue of 'secularisation' to open its membership to all was felt as early as 1953. The final decision was taken in 1955 and will be noted in a subsequent chapter.

To maintain uniformity the party has been consistently referred to, unless necessary for clarification, as the East Pakistan Awami League, briefly Awami League, in abbreviation EPAL or AL.

2. At first he was commonly known as the Maulana from Bhashani or Maulana Abdul Hamid Khan of Bhashani, as one of his settlements in Assam before independence was at 'Bhashanir Char' near Dhubri. (M. Waliullah made occasional references to Bhashani's life and work in Assam, in op.cit., pp.421-4). During his brief membership of the assembly in 1948-9, he was listed as Abdul Hamid Khan in Alphabetical Lists and similarly recorded in Assembly Proceedings. In later years, 'Bhashani' came to form a part of his name so much so that he is often referred to simply as Bhashani.
3. Ousted from power, on the eve of independence, in the Muslim League of East Bengal, Shaheed Suhrawardy, the last chief minister of undivided Bengal, stayed on in India and devoted himself, with Gandhi, to the establishing of communal peace in Bengal at the time of partition. It has been recorded that he was interested at the time in positions in the central government of Pakistan but his differences with Jinnah as to the nature of the first appointment and the time of joining the government stood in the way. Suhrawardy withdrew himself from parliamentary politics in India - he resigned his seat in the West Bengal legislative assembly, but retained his membership of the Constituent Assembly

have been credited with the formation of the Awami League.<sup>1</sup>  
 But no assessment has yet been made of their respective roles in the formation and development of the party. A very significant phase in East Bengal politics thus remains to be fully explored. However, it has been observed, 'If any one man should be given credit for the rise of an opposition in East Pakistan, it is Maulana Abdul Hamid Khan Bhashani'.<sup>2</sup>

Bhashani showed his opposition to the EPML leadership as early as the beginning of 1948. It has been noted above that the EPML leadership proceeded to strengthen their hold over the organisation by making full use of the scope afforded by the League council decision of February 1948, to reorganise the party. The party was set up in the province deliberately

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of Pakistan from which he subsequently lost his seat. He also turned his attention after independence to the problems of future political organisation of Indian Muslims. It was not until March 1949 that he came to settle permanently in Pakistan. The above is based on Leonard Mosley, The Last Days of the British Raj (London : Weidenfeld and Nicolson, 1961), pp. 220-5; Chaudhri Mohammad Ali, The Emergence of Pakistan (New York and London : Columbia University Press, 1967), pp. 241, 250; Ispahani, op.cit., pp. 115-7; Khaliquzzaman, op.cit., pp. 397-9; Begum Shaista S. Ikramullah, From Purdah to Parliament (London : The Crescent Press, 1963) pp. 155-7; Azad, Nov. 10, 1947, June 15, 1948, Mar. 24, 1949.

1. See, for example, Sayeed, Political System, pp. 65, 217; M.A. Chaudhuri, op.cit., pp. 17, 191; Kamruddin Ahmad, op.cit., pp. 116-7; Gankovsky and Gordon-Polonskaya, op.cit., pp. 160-1; Abdur Rab, op.cit., p. 81; Ataur Rahman Khan, op.cit., pp. 27-33.
2. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', Asian Survey, vol. X, no. 7, (July 1970), p. 575.

on a narrow and restricted base.<sup>1</sup> The protest of Bhashani was against this 'closed-door' policy of the EPML leadership. It must also not be overlooked here that the reorganisation policy greatly reduced the scope for any potential opponent to build up significant support within the party organisation so as to successfully challenge, or establish working relationship with, the incumbent leadership. A base of operation particularly for one not as closely associated with the League organisation in Bengal - Bhashani's main field of party politics having been the Assam Provincial Muslim League, had to be organised outside the League.<sup>2</sup> Bhashani held 'Muslim League workers' conferences at Narayanganj and Tangail in March-April 1948 to express lack of confidence in EPML leadership, mobilised the support of those who were opposed to it or had reasons to be disappointed over the reorganisation policy and toured different parts of the province to gather support. Some amount of preliminary work thus completed, Bhashani called a convention of 'Muslim League workers' at Dacca in June 1949. It was decided at this convention to form a new political party. To emphasise its difference from the Muslim League of the

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1. On reorganisation of the EPML, see pp.68-73 above.

2. It may be mentioned here that this aspect has seldom been stressed by commentators who mostly noted only his opposition to the 'closed-door' policy of EPML. It is not the intention to suggest that this alone acted as a motivating factor, but merely to draw attention to a possible partial explanation which may have been neglected. Note may be taken here, without going into the nature of the issues involved, of Bhashani's relationship, as President of the Assam Muslim League, with the Muslim League chief minister of the province before independence, and later, in 1957 of his resignation from the Awami League and formation of the National Awami Party.

government, the party was named Awami (Peoples) Muslim League. Bhashani was elected President.<sup>1</sup>

Suhrawardy, it was clear from the outset, was also in opposition within the League. He was known to have advocated a non-communal political organisation to succeed the Muslim League, when the decision was taken as to the future of the party in Pakistan by the All-India Muslim League council in December, 1947.<sup>2</sup> The League leadership's attitude towards him also in a way contributed to the political development of the time. For example, on a peace mission to East Bengal in June 1948, Suhrawardy was detained under the East Bengal Safety Act and accused of creating lawlessness and propagating the unity of two Bengals.<sup>3</sup> Suhrawardy was unseated from the Constituent Assembly of Pakistan as a result of certain amendments to the Rules of Procedure of the Pakistan Constituent Assembly in May, 1948.<sup>4</sup> He finally came to settle in Pakistan in March, 1949. The extent of his support in the East Pakistan Assembly was apparent in the by-election to the Constituent Assembly in April, 1949.<sup>5</sup> Bhashani's seat in East Pakistan

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1. Other office-bearers were:- Ataur Rahman Khan - a vice-president, Shamsul Huq - secretary, Sheikh Mujibur Rahman and Khandker Mushtaque Ahmed - joint secretaries. See, Ataur Rahman Khan, op.cit., pp. 27-31.

2. Azad, Dec. 17, 1947.

3. Ibid., June 4-6, 1948. It was indicated that the order would be removed if he left the province forthwith.

4. The amendments related to eligibility of candidates. The mover pointed out the 'difficulty' if the eligibility qualifications did not apply to the sitting members alike. But with a knowledge of background of the politics of 1947-48, it is not difficult to imagine to whom it was directed. Suhrawardy was present at the session, and bitterly remarked that 'it is not given to one in this life to be present at one's own obsequies, or to participate in an oration at his own funeral'. See, CAPD, vol. III, no. 1, pp. 2-11, no.2, pp. 13-44.

5. See, p. 82 above.

assembly, it may be recalled, was declared vacant in March, 1949, and Shamsul Huq, supported by both Bhashani and Suhrawardy, defeated the Muslim League candidate in the by-election that followed. It is not unlikely that sometime about this period, the two politicians drew closer in their activities against the League. However, it was Bhashani who devoted himself to organising the EPAL, though no doubt Suhrawardy also took an important part.<sup>1</sup> Perhaps it may be said that Suhrawardy's contribution lay, at this stage, in attempting to unite the oppositional elements in West Pakistan and thereby to forge a nationwide opposition movement against the Muslim League, while in building the Awami League in East Pakistan, Bhashani had the greater share.<sup>2</sup>

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1. For example, Abul Mansur Ahmad has recalled in his book that both Suhrawardy and Bhashani visited Mymensing in 1950 in connection with organising the party in the district and appointed him as President of the district organising committee. Op.cit., pp. 243, 249-50. Also see in this connection, Abdur Rab, op.cit., pp. 82-4. The author has noted the contribution of Bhashani, Shamsul Huq, the Student League and Student Union in laying the groundwork for the Awami League and has mentioned names of about 50 people who helped Bhashani and Suhrawardy considerably in organising the party in East Pakistan. Alphabetical Lists and Assembly Proceedings reveal that about 5 of them were members of the first assembly and a total of about 35 belonged to the second assembly though not all entered as Awami Leaguers and a few changed parties later.
  2. As one associated with Awami League since its inception, Sheikh Mujibur Rahman's comment, when interviewed by the present writer, is no doubt illuminating. He said, 'The EPAL grew under the blessings of Suhrawardy. The Karachi, Sind and Punjab Awami Leagues were formed by him and the All-Pakistan Awami League was constituted by him'. (Emphasis added). The interview took place at Dacca in April, 1969.



The constitution of the party provided for provincial council and working committee and district, city, subdivisional, thana, municipality, union or 'panchayet' Awami Leagues. The party at the lowest level of union or panchayet, municipality or ward was composed of not less than 200 primary members, the body of primary members forming the respective councils. Councils of the successive upward units of thana, subdivisional, city, district and provincial Awami League consisted of representatives from lower levels and a very limited number of co-opted members. A city Awami League, where formed under the constitution, enjoyed the status of a district Awami League and consisted of ward Awami Leagues equivalent in status to that of subdivisional Awami Leagues. While councils of all units from union to district elected the office bearers as well as other working committee members, the provincial council only elected the office-bearers, the President nominating rest of his working committee members.<sup>1</sup>

In the absence of any comprehensive data it is difficult to state with certainty how effectively the party was organised in the province. It would appear that Awami League units were certainly organised at all district and most subdivisional levels and in a great number of instances at thana

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1. East Pakistan Awami League Constitution and Rules. (1955). It has been noted that when subsequently differences arose between the Bhashani and Suhrawardy groups, Sheikh Mujibur Rahman proposed an amendment to the constitution 'curbing the powers of the President to nominate all members of the Working Committee'. See, M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 579.

and union levels.<sup>1</sup> It has been commented that the Awami League 'remained weak in organisational strength during its initial years'.<sup>2</sup> Nevertheless, it was by far the best organised and most widely based of all the parties which were formed during the period under consideration. Certainly, the party organisation demonstrably suffered setbacks in the post-1954 period due to leadership and factional struggles and defections, which will be dealt with later.

On the national scene, the EPAL was a component unit of the Jinnah Awami (Muslim) League, later the All-Pakistan Awami League, formed primarily at the initiative of Shaheed Suhrawardy. The EPAL constitution laid down that it was to be regarded as the East Pakistan regional branch of the All-Pakistan Awami League organisation on the basis of acceptance of its constitution and manifesto.<sup>3</sup> In Sheikh Mujibur Rahman's words, the EPAL was an 'autonomous body within the All-Pakistan organisation'.<sup>4</sup> The national party

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1. Impression based on interviews (very limited in number, however) by the present writer. Those interviewed were: Sheikh Mujibur Rahman, Abul Mansur Ahmad, M. Korban Ali, and Mrs. Badrunnessa Begum at Dacca in April, 1969. Sheikh Mujibur Rahman stated that 'union Awami Leagues were organised in East Pakistan by 1953'. He estimated the primary membership to be 1,500,000 and 1,800,000 in the years 1955 and 1957, respectively. Kamruddin Ahmad (secretary of UP election office 1953-4, who was also interviewed) thought the number to have reached 1,000,000 before the 1954 election. Sheikh Mujibur Rahman's estimate for 1957 tallied with that supplied by Mushtaq Ahmad and Abdur Rab who both noted that by 1958 the membership reached that figure. (see, their books, mentioned above, p. 152 and p. 84, respectively).
  2. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 575.
  3. East Pakistan Awami League Constitution and Rules. (1955), the provision translated above from original Bengali; Dawn, Apr. 23, 1953.
  4. To the present writer, during an interview which took place in April, 1969.

has been aptly described as a 'loosely held confederation of provincial organisations that had grown independently in opposition to the Muslim League'.<sup>1</sup> 'The strength of Suhrawardy's leadership', it has been observed, seemed 'crucial in maintaining some measure of co-ordination on All-Pakistan basis'.<sup>2</sup> The national organisation suffered from inherent weakness and did not have the forceful organisational existence of its East Pakistan component.<sup>3</sup>

The Awami League was the first political party to be organised in opposition to the Muslim League in East Pakistan. The ruling party's attitude to Muslim opposition has been discussed earlier.<sup>4</sup> Edward Shils has noted intolerance of opposition to be a characteristic phenomenon in new states and has offered some explanation,

The ruling political elite, having carried the banner of the nation for so many years, under conditions of stress, continue to think of themselves as identical with the nation and, after their accession to power, with the state. Those who disagree with them are thus viewed not merely as political opponents but as enemies of the state and nation. 5

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1. See, Mushtaq Ahmad, op.cit., pp. 147-55; Gankovsky and Gordon-Polonskaya, op.cit., p. 176, footnote 2.
  2. Richard E. Park, 'East Bengal: Pakistan's Troubled Province', Far Eastern Survey, vol. XXIII, No. 5, (May, 1954), p. 73.
  3. Callard, Political Study, pp. 71-2; G.W. Choudhury, Democracy, p. 287; Kamruddin Ahmad, op.cit., p. 118; Richard E. Park and R.S. Wheeler, 'East Bengal under Governor's Rule', Far Eastern Survey, vol. XXIII, No. 9, (September, 1954), p. 134.
  4. See, pp. 95-103 above.
  5. Political Development in the New States (The Hague: Mouton, 1968), p. 42.

Hindu opposition in Pakistan was regarded as the natural outcome of independence movement. Muslim opposition to the independence party, on the other hand, was seen in divisive roles undermining the unity of the Muslim nation to the detriment of the state itself. Put in somewhat different terms, Hindu opposition with its historical tradition of having opposed the creation of the state posed no threat to the leadership in an overwhelmingly Muslim country (in fact, the more virulent the Hindu opposition, the stronger the impetus towards Muslim unity and unquestioning loyalty to the ruling party was likely to be), while only Muslim opposition could offer effective challenge to the ruling party with prospects for alternative government.

On the eve of formation of the Awami League, the Pakistan Observer commented,

Even when Pakistan was actually coming into being, these (i.e. Muslim) enemies were undaunted as was evidenced in the raising of false and treacherous slogans of ... sovereign Bengal. It will be folly to harbour the illusion that the leopard has changed its spots and is now full of good and honest intentions towards Pakistan.

Opposition parties are, normally, absolute necessities in the working of democracy. ... so theoretically speaking in Pakistan also there can be no objection to the growth of parties in opposition to the League. But apart from the undesirability of any cleavage in the Muslim ranks at this delicate stage, there is the uncertainty about the very loyalty towards Pakistan of the persons who are today loud in denouncing the League, its leaders and governments .... In East Pakistan, at least, the people who have fallen foul of the League and have convened a conference next week with the evident intention of setting up a rival organisation are known quantities. 1

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1. The above passages are from two editorials, titled, League's Historical Role I and League's Historical Role III, dated June 18 and 20, 1949, respectively. The serialised editorial appearing on three consecutive days, with its appeals for unity and warnings against opposition, were also addressed to the EPML councillors who were at the time in a council session at Dacca.

Comment has been made on the repressive policies pursued by the Muslim League government against opposition and some indication given of the measures adopted against Awami League politicians and its activities.<sup>1</sup> Abdul Hamid Khan Bhashani, Shamsul Huq and Sheikh Mujibur Rahman were all subjected to arrests and detentions under Special Powers Ordinance and Public Safety Act, between the years 1949 and 1953. It was observed by the official as well as Muslim opposition and some Muslim League backbenchers of the East Bengal assembly that these and other political workers similarly treated had rendered contributions to the cause of the Muslim League and in achieving Pakistan, but their parting of ways with the present leadership after independence was followed by arrests and detentions on grounds of alleged anti-state activities. They accused the government of making political use of these measures.<sup>2</sup> A Muslim League backbencher chose to censure the government,

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1. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 575.
  2. For example, see EBLAP, vol. IV, no. 6, p. 132 and no. 8, pp. 195, 210; vol. V, no. 1, pp. 110-36 and no. 2, pp. 113, 388-9; vol. IX, no. 1, pp. 268-81; vol. X, no. 1, p. 433; vol. XI, no. 2, pp. 3, 37, 40. Members usually got opportunity every year to voice their criticisms when the relevant ordinance was placed before the legislature. The government, obviously apprehensive of adverse reception by the assembly, preferred to take recourse to ordinances rather than bring in necessary legislation. Other methods by which members focussed attention on these matters and expressed their disapproval of the use made of Special Powers Ordinance and Public Safety Act were budget discussions, resolutions and questions. It must be observed here, however, that apparently the government also enjoyed some support among party members.

Freedom of expression is an essence of democracy and intolerance betrays the want of faith in ones own cause. Being impatient and intolerant of criticism, be it constructive or otherwise, (the government) put it down ... (by) Special Powers Ordinance. It is very convenient and easy for them to brand the 'ism' and put the man behind the prison bar, although in his life he never was an enemy of the State .... Our recent past has not been such of which we can be proud. We have seen in various places gross misuse and abuse of this Ordinance .... we did not hesitate to exact and throw our colleagues and co-workers into jail who side by side with us fought for independence and for Pakistan. 1

A Congress member commented,

Mr. Chairman, Sir, I maintain that there is no need to govern the country with Special Powers Ordinance .... The Muslim League is running the government. We have heard of another League; that is the Awami League. I shall not narrate their woes and miseries. I think the government is continuing with the Ordinance with an eye towards the next election so that nobody can oppose the government. 2

Abdul Hamid Khan Bhashani, who had spent not less than two years in detention from 1949 to 1953,<sup>3</sup> spoke of the 'steam-roller of repressive policies' which his party had to face during Muslim League rule.<sup>4</sup>

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1. Ibid., vol. V, No. 1, pp. 111-2. The speaker was Abdus Sabur Khan. Edward Shils has written of newly established regime of political democracy that 'the government, harried and assailed by the opposition, is excessively ready to discern subversion where there is only dissatisfaction and to take measures appropriate to the repression of subversion'. Op.cit., pp. 42-3.
  2. EBLAP, vol. V, no. 1, p. 118. Translated from original Bengali. The speaker was G.C. Bhattacharjee.
  3. Sainik, Oct. 21, 1949, Dec. 31, 1950; EBLAP, vol. X, No. 1, p. 433; vol. XI, no. 2, p. 3.
  4. North Bengal Awami League Workers' Conference, 1955. Address of the President Maulana Abdul Hamid Khan Bhashani.



Nevertheless, the Awami League continued to grow in strength. Abul Mansur Ahmad has rightly observed that had the opposition been organised by those who had opposed the Pakistan movement, people would have regarded their move with suspicion and backed the government in resisting them; but in this case, those who formed the opposition were men like Suhrawardy and Bhashani who had themselves been in leading roles in the struggle for Pakistan.<sup>1</sup>

In order to be able to present itself as an alternative to the Muslim League, the Awami League needed to build for itself a viable party organisation. In this respect it contrasted with the Krishak Sramik Party which was basically an 'election' party. Formed only eight months before the election, in August 1953, the KSP did not embark upon much organisational groundwork but concentrated more on election techniques. The EPAL also successfully built up its appeal because it was in a position to utilise Muslim League mistakes and blunders. At the time about the only significant political party in opposition to the League, it was as such able to confront the Muslim League on matters of policies to cite but a few instances, jute, language, Basic Principles Committee reports etc. In fact it has been observed that the language movement in the province accelerated the growth of the organisation.<sup>2</sup> In matters such as these,

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1. Op.cit., p. 243. It has been suggested earlier that the absence of these politicians in the first assembly party accounted for the relative weakness of Muslim opposition in that assembly. See, Chapter II, pp. 99-102 above.

2. Abdur Rab, op.cit., p. 82.

the party represented what could be properly termed popular needs and aspirations, and mobilised public opinion. The 'most distinguished contribution' of the party - the 'politicization of the masses' - was made during this period while it was in opposition.<sup>1</sup> The party itself was not unaware of this remarkable contribution. Bhashani told a workers' conference in 1955,

As a result of (the party's) continuous movement for abolition of zamindari and return of land for the tillers, granting of individual freedom and democratic rights, extension of the country's industry, commerce and trade, acceptance of Bengali as one of the state languages and demands for autonomy for East Bengal, political consciousness of the people continued to develop. 2

The party appeared to have been preparing itself for the provincial election, which was originally expected to be held in early 1953.<sup>3</sup> The East Bengal Legislative Assembly (Continuance) Act, 1953 extended the life of the assembly by another year and the election was later scheduled for the beginning of 1954. The working committee of the EPAL took the decision to contest from all constituencies.<sup>4</sup> In November

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1. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., pp. 574, 586.
  2. North Bengal Awami League Workers' Conference, 1955.  
Address of the President Maulana Abdul Hamid Khan Bhashani. Translated from original Bengali.
  3. In May 1952, a delegation from the party presented a memorandum to the Governor, demanding appointment of a high-powered Election Commission, release of all Awami League and other political workers held under the Public Safety Act and freedom of newspapers and public meetings to conduct election propaganda. The acting general secretary of the party, Sheikh Mujibur Rahman subsequently met the prime minister of Pakistan to submit a similar memorandum. For details of the memoranda, see, Azad, May 14, July 4, 1952.
  4. As early as July 1952, the acting general secretary had indicated the intention of his party to do so. Eventually, however, the party shared nominations with other parties as components of the United Front. Ibid., July 4, 1952, Sep. 13-14, 1953.

1953, the party adopted a 41-Point election manifesto. It pledged to nationalise the jute and tea industries, make necessary amendment to acquire zamindari without compensation, repeal all Safety Acts, withdraw all restriction orders on newspapers, encourage cottage industry and resettle refugees. The party declared its intentions to endeavour to make East Pakistan a fully autonomous unit on the basis of the Lahore resolution vested with all powers except defence, foreign affairs and currency. It promised to make Bengali one of the State languages, declare February 21 (the day police opened fire on a language demonstration in 1952 resulting in some casualties) as a national holiday, to hold by-elections within three months of vacancies occurring and to resign from office if in three consecutive by-elections the Awami League candidates were defeated.<sup>1</sup> The manifesto contained all the issues for which it had carried on agitation from the outset. It held out promises to the cultivators and jute growers and to small-scale industries, appealed to the spirit of national identity of the Bengali and drew upon Muslim League failures. The manifesto thus reinforced excellent electoral prospects for the party.

## II. Krishak Sramik Party

To maintain that the Krishak Sramik Party was the

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1. For details, see, ibid., Nov. 17, 1953; Dawn, Nov. 18, 1953.

party of A.K.Fazlul Huq<sup>1</sup> will certainly not be an over-statement. Huq had found himself in 'temporary eclipse'<sup>2</sup> in Pakistan politics after independence. His role in the initial years as a member of the East Pakistan assembly has been noted earlier.<sup>3</sup> He was, however, certainly planning to stage a come-back through the provincial election in East

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1. The 'tiger of Bengal' - 'Shere Bangla' - as he was affectionately called by his people had been a dominating figure in Muslim Bengal politics from the days of the earlier Legislative Councils. He entered the Bengal assembly of 1937 as leader of the Krishak (Peasants) Proja (Tenants) Party, which he had helped to organise. Shortly afterwards, he joined the Muslim League (with which party he had been associated from the time of its formation, with occasional interruptions) with a section of his KPP followers and became its President, while still retaining the Presidentship of the KPP. His politics during this period left the party in considerable disarray. It later died an inevitable death with the rising appeal and growth of the Muslim League. Huq's association with the Muslim League, however, turned out to be shortlived. For various reasons his relationship with the central League leadership was extremely strained and his own position in the Bengal Muslim League considerably weakened. He was expelled from the party in 1942. After his re-admission to the League in 1946, he offered himself as a candidate for the Presidency of the BML when Akram Khan tendered his resignation. But the election did not take place as the resignation was withdrawn. See, Abul Mansur Ahmad, op.cit., pp. 128-40, 158-73; J.H.Broomfield, Elite Conflict in a Plural Society: Twentieth Century Bengal (Berkeley: University of California Press, 1968), pp. 291-98; Reginald Coupland, op.cit., pp. 26-31; Indian Annual Register, 1937-42.
  2. The expression has been used by G.W.Choudhury, Democracy, p.56.
  3. See, pp. 84-6, above.

Pakistan. Referring to the approaching election, Huq wrote to a close political follower in December 1952 that the 'contest will be for life or death',<sup>1</sup> But his course of action was not yet certain. In March, 1953, he called a 'conference' at Dacca which was attended by 'more than 500 delegates' including 'representative leaders of public thought in the province' and 'representatives of all political parties'. The 'conference' vested Huq 'with full powers to form a new organisation in any manner (he) thought fit and proper'.<sup>2</sup> But there were also some indications that he might join the Awami League.<sup>3</sup> It may be recalled that when Nurul Amin was faced with a revolt in his party which coincided with the appointment of Mohammad Ali as the prime minister of Pakistan in April, 1953, Huq was available to the opposition faction for the Presidency of the EPML. Finally, on July 26, 1953, in another meeting of 'representative leaders', called by Huq, the Krishak Sramik Party was formed and Huq elected its President.<sup>4</sup> The party was stated to have been composed almost entirely of the personal followers of Fazlul Huq.<sup>5</sup> Yusuf Ali Chowdhury, out-manoeuvred by Amin in the confrontation of April-May, 1953, and expelled from the EPML, joined the party with his bloc.<sup>6</sup>

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1. Letter to S.A. Huq, dated Dec. 22, 1952, made available to the present writer by S.A. Huq.
  2. Statement of A.K. Fazlul Huq released to the press after the formation of the KSP in July, 1953. Typed copy of the full statement was made available to the present writer by S.A. Huq.
  3. Abul Mansur Ahmad, op.cit., p. 254; Sainik, Aug. 14, 1953.
  4. See, footnote 2, above; Abdur Rab, op.cit., p. 88; B.D. Habibullah, op.cit., pp. 128-9; Callard, Political Study, p. 57.
  5. Callard, Political Study, p. 72.
  6. Sainik, Aug. 14, 1953. Also see the slightly different account of Mushtaq Ahmad, op.cit., p. 163. Yusuf Ali Chowdhury, incidentally, was a member of Huq's old KPP until 1943 when he joined the BML. This information is based on a questionnaire (supplied by the present writer) completed by him.

The party was undoubtedly named with the Krishak Proja Party of the 'thirties' in mind, which had attained some amount of popularity in Bengal. Also, primarily organised to provide a platform for the coming election, it was directed to the voters -- the masses, 'the ill-fed, ill-clad and ill-housed peasants (who) pass their days on the bread of sorrow and the water of affliction'. These unfortunate specimens of humanity may be classed as the Krishak (Peasants) Sramik (Labourers) and Projas (Tenants) of the country, and it is for the purpose of emphasising that the interest of this class of people will always be closest to our heart, that we have named our new party Krishak Sramik Party'.<sup>1</sup>

The party announced a 12-Point programme, which included immediate release of security prisoners, nationalisation of jute trade, full provincial autonomy for East Pakistan on the basis of the Lahore Resolution, Bengali as one of the State languages of Pakistan, national planning of labour, industrialisation of the country and improvement of the methods of agriculture. The party also addressed itself to the minority and the 'ulama' by offering 'protection of the rights of the minorities in Pakistan' and 'co-operation with Nizami Islam and 'ulama' organisations ... to mould the administration on true Islamic ideals'. The party manifesto assured 'our dearly beloved youth' that the party's ultimate goal will be 'the achievement of measures for their prosperity, happiness and welfare'.<sup>2</sup> Commenting on the party programme of the KSP, the

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1. See, footnote 2, p.190 above.

2. See, footnote 2, p.190 above. The statement outlined the programme of the party. The party programme was published in Azad, July 30, 1953.



Russian authors, Y.V. Gankovsky and L.R. Gordon-Polonskaya, observed that several points were 'couched in rather vague terms ... with a view to secure popular support'.<sup>1</sup> Indeed, as has been noted, the KSP was centered 'on a man rather than a policy'.<sup>2</sup> The party, to quote a KSP member, was a 'one-man affair', 'whatever Fazlul Huq said was the party programme', 'the office-bearers were more or less his nominees'.<sup>3</sup>

The party did not build any viable organisation machinery in the province. It has been stated that the constitutional provisions for organising union, sub-divisional and district, city, provincial and regional committees had 'no existence in reality'.<sup>4</sup> A KSP member has noted that usually there were no units organised under the district level, and, where there existed one, for example, in the subdivisonal level, it was, in fact, always the case of a KSP candidate forming his own party organisation. Hence, the district organisations were not composed of representatives from lower levels. The constitutional provision of forming the provincial council by representations from the district councils was not implemented and it was in fact the district working-committees which elected members to the provincial council.<sup>5</sup> Thus

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1. Op.cit., pp. 195-6.

2. Keith Callard, 'The Political Stability of Pakistan', op.cit., p. 11.

3. This is based on an interview which the present writer had with Abdus Salam (a KSP member of the second assembly and the editor of Pakistan Observer) at Dacca in April 1969.

4. Mushtaq Ahmad, op.cit., p. 165.

5. The above is based on interviews of the present writer with Syed Azizul Huq in April, 1969. S.A. Huq, a nephew and close political follower of Fazlul Huq, was one in the inner circle of the KSP leadership and a member of the second assembly.

whatever party organisation was there, it was completely under the control of the top leadership at the provincial level. It has been described as an 'organisation from above'.<sup>1</sup> Note may be taken here of the fact that almost all the leading members of the party entered the second legislature.

Keith Callard has observed that the KSP was the second major party to emerge in Pakistan since partition.<sup>2</sup> If the election results of 1954 were taken as the best indicator, it appears certainly to be so. There apparently was no figure for primary membership but it was suggested that an idea of the party's support in the country could be had from the size of attendance at public meetings.<sup>3</sup> Perhaps a distinction here needs to be made between primary membership, which shows the extent of the root of the party and the size of supporters and audience at public meetings, which could result from a variety of factors and yet not indicate the real strength of the party. In case of the KSP, needless to say, the popularity of the party simply reflected the popularity of its founder, whose presence on a platform drew the most mammoth gatherings of all.<sup>4</sup>

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1. To the present writer, by Abdus Salam in course of an interview at Dacca in April 1969. He admitted that the 'KSP was not organised in the way the Awami League was'.
  2. Political Study, p. 72.
  3. By S.A. Huq. See, footnote 5, p. 192 above.
  4. His tremendous popularity, in the face of so many seeming contradictions of his politics, appears utterly inexplicable. Mohammad Waliullah, a journalist and political worker, who had the opportunity to watch Fazlul Huq from close quarters and Abul Mansur Ahmad, one who was in close contact with Huq in politics, have both sought to offer some explanations. See, their books, referred above, p. 47 and p. 166, respectively. Political literature of Pakistan is the poorer by the lamentable lack of any standard biographical work or research on the life of one who was actively engaged in politics for nearly half a century.

Again, it may also be pointed out here that the party naturally could have been next to the Awami League if compared with other parties, which necessarily held out appeal to limited sections of population, e.g. minority parties, religion-oriented parties and avowedly leftist parties.

The KSP was confined only to East Pakistan. Attempts to organise the party in West Pakistan did not prove successful. <sup>1</sup>

### III. Ganatantri Dal

The Ganatantri Dal was formally organised at a convention held in January, 1953. The Dal was the first party, as Callard has pointed out, 'to adopt a secular policy and admit non-Muslims on equal terms'.<sup>2</sup> It has been described as a 'leftist' or 'left-wing' party and a 'front' organisation of Communism.<sup>3</sup> Indeed, the programme and manifesto of the party revealed some strong leftist leanings. In economic field, the Ganatantri Dal complained that feudalism still existed in Pakistan and that the abolition of zamindari as proposed by the government would fail to solve the problem of

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1. Mushtaq Ahmad, op.cit., p. 165; Gankovsky and Gordon-Polonskaya, op.cit., p. 196; Azad, July 4, 1955.
  2. Political Study, p. 74.
  3. Ibid.; Kamruddin Ahmad, op.cit., p. 128; Hugh Tinker, India and Pakistan: A Political Analysis (New York: Frederick A. Praeger, Inc., 1962), p. 107; Richard L. Park, 'East Bengal: Pakistan's Troubled Province', op.cit., p. 73. The Russian authors of the book A History of Pakistan, 1947-1958, have described the Dal as a 'progressive democratic party', and proceeded to state, without supplying the readers any yardstick for judgment, that the Dal 'soon became one of the most popular and influential organisations of the progressive intelligentsia of East Pakistan'. See, p. 195.

the peasantry. It advocated abolition of zamindari system without compensation, confiscation of excess lands from individual land holders and redistribution of confiscated and other cultivable government land among the landless and poor peasants. The Dal was critical of 'foreign capitalists' and 'their brokers' and went further as to suggest 'confiscation of foreign capital and interests employed in the commerce and industries of Pakistan'. It sympathised with the difficulties of jute growers and was in favour of nationalization of jute export with the expansion of jute market, guaranteeing a minimum price of jute to cultivators. But the Dal certainly, however, was not averse to 'free' economy, and declared its 'positive encouragement of private national capital in industrialising the country'. In the field of foreign affairs, it was anti-Western; it demanded Pakistan's severance of links from the British Commonwealth, denounced 'the aggression of American imperialism in Korea' and declared 'sympathy of the people of Pakistan to the liberation movement in the Middle-East and Far East'.<sup>1</sup> While not a fully 'left' party, in many important matters it clearly stood to a far left of the ruling Muslim League. It was alleged by the prime minister in the central legislature that communists in East Pakistan masqueraded under different party labels, Ganatantri Dal being one of them.<sup>2</sup> It is not known if there existed any liaison or informal channel of communication with the Communist

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1. The above is based on resolutions and manifesto adopted at the convention in January, 1953 and on the 10-Point programme put forward by the Dal for the formation of a united front in November, 1953, as reported in Dawn, Jan. 18-19, 1953 and Nov. 29, 1953; Statesman, Jan. 19, 1953; Azad, Jan. 19, 1953 and Nov. 28, 1953.

2. See, Callard, Political Study, p. 74.

Party. But undoubtedly the Dal, on the basis of its professions, was about the only party in East Pakistan to which the Communist Party could possibly have lent support.

The Dal was confined only to East Pakistan. The working-committee of the party was authorised at the convention of January, 1953 'to negotiate the setting up of a joint party machinery with the Azad Pakistan party for formulating policies and taking decisions which were of All-Pakistan interest'.<sup>1</sup> But the attempt did not appear to have been successful and the two parties did not merge into one all-Pakistan party until both joined the National Awami Party subsequently.

The Dal did not appear to have built any full-scale province-wide organisation. It is doubtful if the party in most districts had any organisation below the district level and if it was fully organised in all cases even at that stage.<sup>2</sup> After its entry into the legislature, the 'parliamentary wing' of the party entirely dominated the 'organisation', as most of the 'influential' members of the party were elected to the legislature in the 1954 election.

1. Dawn, Jan. 20, 1953.

2. The above is based on impressions gathered from interviews which the present writer had with Mahmud Ali, a founding member and secretary general of the party and member of the second assembly, at Dacca in August, 1967 and April, 1969, and with Muhammad Muhibbus Samad, belonging to the party inner circle who subsequently joined the Awami League and who was also an assembly member from 1954-58, in London in July, 1970. Mahmud Ali said that party constitutions and other papers of the party office were casualty to two occasions - the imposition of section 92-A in 1954 and later of martial law in 1958. M.M. Samad was of the impression that throughout the existence of the party, the constitution remained at the 'draft' stage.

## IV. Nizam-i-Islam Party

It has been observed that in Pakistan the 'impact of religion was made through two opposed approaches - political parties, claiming to speak with the authority of religion; and the religious groups, exercising an external pressure upon political activity'.<sup>1</sup> The Nizam-i-Islam, formed in 1952, was a political party with 'religious orientation', not as rigid, however, in 'fundamentalism' as the Jamaat-i-Islami.<sup>2</sup> The party has been described as 'the organisation of the orthodox <sup>[sic]</sup> ulamas of East Pakistan', 'a right-wing group which differed little in ideology from the Muslim League and was mainly dominated by the ulama or religious teachers', a party which represented 'orthodox' 'conservative Muslim opinion', and 'a conservative, rightist religious organisation uncompromisingly opposed to any form of secularism'.<sup>3</sup> Maulana Athar Ali, leader of the party, stated that the Nizam-i-Islam was 'the political branch of the Jamiat-ul-Ulama-i-Islam'.<sup>4</sup>

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1. Tinker, op.cit., p. 118.

2. Sayeed, Political System, p. 219.

3. Gankovsky and Gordon-Polonskaya, op.cit., p. 198; G.W. Choudhury, Democracy, p. 57; Callard, Political Study, pp. 57, 72; Area Handbook for Pakistan, October 1965, (prepared by the Foreign Areas Study Division, the American University), p. 293. The last source refers to the party during the post-1958 period; in any case, the party was not known to have undergone any change in principles or ideology. For an explanation of the term 'ulama', see, Donald E. Smith (ed.), South Asian Politics and Religion Princeton, New Jersey: Princeton University Press, 1966), p.40.

4. In reply to a questionnaire supplied by the present writer. The Jamiat was formed in 1946 after a split in the Jamiat-ul-Ulama-i-Hind on the issue of Pakistan, and supported the Muslim League. See, K.K. Aziz, op.cit., pp. 178-81.



'Frustration and disappointment at the inability of the ruling Muslim League to make Pakistan an Islamic State' has been stated by a prominent member of the Nizam-i-Islam to be the reason for the formation of the party. Asked to explain the characteristics of an Islamic state, he said, '... as opposed to secular state, the individual and the state should be guided by Islamic principles. All legislations must conform to the tenets of the Qur'ān and Sunnah. Islamic principles of equality, brotherhood and social justice must prevail'. The party did not appear to have well-defined economic or social policies. It stood in favour of 'abolition of interest in all fields of economic activity (e.g. in banking)', 'advocated the prohibition of gambling' and 'propagated the introduction of 'zakat' by the state itself, the proceeds to be spent according to Islamic principles'. The party was said to be generally 'more concerned with religious and ideological principals than with material and economic considerations'.<sup>1</sup>

Keith Callard has observed that the party drew 'its limited support from religious groups'.<sup>2</sup> As in case of the Dal, many of its leading members entered the legislature in 1954.

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1. The above is based on an interview of the present writer with Farid Ahmad, a Nizami-i-Islam member of the second assembly, in August 1967, at Dacca.
  2. Political Study, p. 72.

## V. Khilafat-i-Rabbani Party

The Khilafat-i-Rabbani Party, formed in April 1952, has also been described as a 'religious party of the Muslim community'.<sup>1</sup> Abul Hashim, general secretary of the former BML, who subsequently migrated to Pakistan and joined the Rabbani Party in 1953, stated that 'if the people of Pakistan by their own free choice adopted any pattern other than Islamic, then the partition of the subcontinent would be wholly unjustified'; 'the creation of an Islamic social order', he maintained 'was the sine qua non for Pakistan'.<sup>2</sup> The aim of the party was 'the realisation of an Islamic society in Pakistan free of all types of exploitation and tyranny'. The Rabbani Party wished Bengali to be recognised as one of the State languages of Pakistan and demanded 'complete zonal autonomy for East Pakistan as envisaged in the Lahore resolution of 1940'. Its programme of action also included, among other points, state control of big industries, abolition of rent-receiving interests in the land, steps to guarantee employment and minimum wages to all'. In economic field the party thus leaned towards socialistic principles. The influence of Abul Hashim can be, no doubt, discerned.<sup>3</sup> A

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1. Gankovsky and Gordon-Polonskaya, op.cit., p. 201.
  2. See, Statesman, June 13, 1953; Hashim was arrested by the government after the language disturbance of 1952. (EBLAP, vol. XI, no. 2, p. 38). He rejoined the Muslim League in 1956. (Dawn, Mar. 16, 1956).
  3. For comments on Hashim as a socialist, see, Sayeed, Formative Phase, p. 224; Kamruddin Ahmad, op.cit., pp. 63-65. Hashim would no doubt regard himself as a 'Rabbani Islamist', one who maintains that 'the principles of Islam are absolute, universal and eternal but the forms and external appearances must vary with the varying conditions of living'. See, Abul Hashim, Integration of Pakistan (Dacca: Polwel Printing Press, (n.d.)), pp. 40-1.

party avowedly based on religion needs to formulate its attitude towards non-Muslims in an Islamic polity. The Rabbani Party assured the 'non-Muslim minorities equal rights of citizenship with the Muslims as enunciated in the Koran and Sunnah'.<sup>1</sup>

The Khilafat-i-Rabbani Party, however, was an extremely small organisation. Lack of collaboration with the United Front also appears to be one of the reasons for its disastrous electoral experience.

#### VI. East Pakistan Socialist Party

At the time of independence, the Indian Socialist Party decided to divide itself into two autonomous organisations. The Pakistan Socialist Party, with a party machinery never fully developed or properly organised, existed in two wings and lack of co-ordination between them was a general feature. The party was greatly handicapped, primarily due to the following reasons - stand of the former All-India party against partition, appeals of 'Islamic socialism' on the one hand and existence of other left-wing parties on the other, the party's stand on secularism and the minority. The party encountered many hardships and difficulties and remained extremely small in size.<sup>2</sup> The President of the East Pakistan Socialist Party admitted that lack of finance accounted for the party's lack of growth; there were no funds for propagating its views and creating a

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1. The above on the party's aims and objectives is based on reports on occasions of its formation, Abul Hashim's decision to join the party and the formulation of party manifesto, appearing in, Dawn, Apr. 22, May 2, 1952, Dec. 24, 1953; Azad, June 12, 1953; Statesman, June 13, 1953.
  2. The above is based on Saul Rose, Socialism in Southern Asia (London: Oxford University Press, 1959), pp. 59-69.

'socialistic atmosphere' - the party was too poor to even maintain an office.<sup>1</sup>

The party in East Pakistan was mainly composed of Hindus and later splits occurred between the Hindu and Muslim sections of the party.<sup>2</sup>

The party adopted a 26-Point manifesto for the election, which included, among other points, demands for adoption of Bengali as a State language, abolition of zamindari without compensation, joint electorate, severance of links with the British Commonwealth, release of political prisoners and repeal of Safety Laws, protection of indigenous industries from foreign capital and encouragement of small scale industries.<sup>3</sup>

#### VII. The Communist Party

At the second congress of the All-India Communist Party held in March 1948, the party committees in Pakistan were formally given the power to organise an independent party and the organisation of the Indian Communist Party limited within the jurisdiction of India.<sup>4</sup> The Communist Party of Pakistan, in spite of at least nominally substantial numbers at the start of independence, remained extremely weak organisationally.

Marcus Franda has noted that at the time of partition more than

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1. Troilakya Nath Chakravarty, Thirty Years in Prison and the Independence Struggle of Pakistan India (Bengali - Jele Tirish Basar o Pak Bharater Swadhinata Sangram) (Dacca: Modern Printing Works Limited, 1968), pp. 362-3. T.N. Chakravarty served as President of the East Pakistan Socialist Party. This work is of autobiographical nature and mainly devoted to his years of terrorist activities during British rule.
  2. Saul Rose, op.cit.
  3. For details, see, Dawn, Dec. 10, 1953.
  4. Azad, Mar. 8, 1948.

half of Bengal's 20,000 membership remained in East Pakistan.<sup>1</sup> Although the party was not formally banned until 1954 it was subjected to intense government repression because of its subversive and insurrectionist activities. He wrote,

The principal reasons for the ban on the PCP stem from the subversive activities of Pakistan Communists in East Bengal in the period 1947-1952. During this five-year period the PCP followed the Zhdanov line of international Communist movement and attempted to foment revolutionary armed uprisings in several parts of East Pakistan.

Repressions of their activities affected the nature of the party organisation in that it 'hampered the ability of leaders to organise a large scale following'. The size of party membership was considerably reduced because of imprisonments, often over extremely lengthy periods, and migration, particularly at the time of 1950 riots in East and West Bengal.<sup>2</sup> The party put up a limited number of candidates for the 1954 election.

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1. Marcus F. Franda, 'Communism and Regional Politics in East Pakistan', Asian Survey, vol. X, No. 7 (July, 1970), pp. 588-606. Franda estimates the present (1970) membership of the party to be approximately 3,000 in East Pakistan. Robert A. Scalapino in The Communist Revolution in Asia: Tactics, Goals and Achievements (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1965) also puts the membership (in 1965) to be between 2,000-3,000 (200-300 only in West Pakistan). (See, pp. 29-32, chart 6). Scalapino also notes the socio-economic distribution of the party. (See, pp. 32-33, chart 7).

2. The above is entirely based on Marcus F. Franda, 'Communism and Regional Politics in East Pakistan', op.cit. Franda's article, like Saul Rose's account of the Socialist Party, constitute the first analytic treatment of the party.

## 2. Election Alliances: United Front and Minorities United Front.

The idea of a united front of parties in opposition to the ruling Muslim League was put forward as early as January 1953, by the newly formed Ganatantri Dal.<sup>1</sup> However, it was during the latter part of the year, when political forces in the pre-election scene started to crystallize, that the idea of a front began to be increasingly expressed in public by opposition parties and politicians. In June 1953, Abul Hashim, immediately after joining the Khilafat-i-Rabbani Party, observed that his party would be prepared to form a united front on the basis of common ideology.<sup>2</sup> A.K. Fazlul Huq, within a few weeks of forming the KSP, indicated that he favoured a united bloc of opposition parties.<sup>3</sup> The matter was also reportedly discussed in the EPAL working-committee in September. In November, the EPAL council supported the proposal for formation of a united front of all opposition parties on the basis of a minimum programme of action.<sup>4</sup> Almost simultaneously, the KSP, in a meeting of representatives of district committees, took the decision to forge a united front on 'uniform basic ideology' with major political parties to fight the coming elections in East Pakistan.<sup>5</sup> The Khilafat-i-Rabbani announced at the same time that it would join in the front if opposition parties came into agreement to unite in the coming elections.<sup>6</sup> It was also apparent that the Ganatantri

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1. Statesman, Jan. 19, 1953.

2. Azad, June, 12, 1953.

3. Ibid., Sep. 3, 1953.

4. Ibid., Sep. 14-16, Nov. 16-17, 1953.

5. Dawn, Nov. 18, 1953.

6. Azad, Nov. 18, 1953.



Dal and the Communist Party were strongly in support of such move.<sup>1</sup> In fact the leftists were said to have been particularly keen, for various reasons, and to have played a significant role, along with the student community, in the formation of the United Front.<sup>2</sup> Negotiations which followed between the Presidents of the two parties, the EPAL and the KSP, finally led to the formation of the United Front in the first week of December. It was announced on December 4, that the 'two organisations have united together on the basis of a minimum programme to defeat the Muslim League in the coming elections' and that the leaders would 'now endeavour to contact all parties opposed to the Muslim League and forge a broader United Front with the co-operation of all parties.'<sup>3</sup> However, the situation as it emerged through the negotiations and conferences between various parties and party leaders during the weeks in November and December, show that there were no further formal signatories to the United Front. Various factors seem to have influenced the moves. Differences between the parties were of two kinds: there was a wide gap between the 'left-wing' parties and the 'religion-oriented' parties (it has been shown above that, in fact, except for the EPAL and the KSP, the other parties more or less conformed to one or the other categorisation) and there was further the desire, on the part of the respective leaders of the two signatory parties, to balance the forces

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1. Reports to this effect appeared in the press from time to time. Both parties put forth their suggestions as to the policies and programmes of the proposed United Front. See, Azad, Nov. 29, Dec. 7, 1953; Dawn, Dec. 4, 1953.
  2. Kamruddin Ahmad, op.cit., pp. 127-8; M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 576.
  3. Azad, Nov. 18-Dec. 5, 1953; Dawn, Dec. 5, 1953.

in such manner as to strengthen their parties' position within the Front. The Nizam-i-Islam Party came to be a part of the UF in a round-about way, Fazlul Huq claiming that he had already as KSP leader signed a document for a joint front with the party. In the statement which he issued as leader of the UF, Huq mentioned about his earlier agreement with the NIP and his agreement with the AL as the basis of the United Front, noted the component parties as the KSP, the EPAL, the NIP and the Rabbani party and hoped that a joint statement to the effect from leaders of these parties would be issued in the 'near future'. His statement made no reference to the Ganatantri Dal.<sup>1</sup> There has been suggestion that Suhrawardy was instrumental in bringing the Dal within the Front by having Front nominations awarded to Dal candidates.<sup>2</sup> There followed, soon after the formation of a UF cabinet in April 1954, statements and counter-statements between the Nizam-i-Islam and the Dal, the former maintaining that the Dal was not a component of the Front while its members individually had received nominations. The Dal indignantly accused the former of having secured UF nominations 'through a back door method' and claimed that the 'Dal was as much a part of the UF as the Awami League and the Krishak Sramik Party'. Sheikh Mujibur Rahman, general secretary

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1. See, statement of Fazlul Huq, as published in Dawn, Dec. 22, 1953; Azad, Dec. 21, 1953. The present writer was told by Farid Ahmad, in course of an interview held in August, 1967, that the coalition of the Nizam-i-Islam and the KSP was based on a 24-Point Programme, and that the Nizam-i-Islam Party was not a signatory to the United Front's 21-Point Programme.
  2. See, Kamruddin Ahmad, op.cit., pp. 127-8. The present writer was told by Kamruddin Ahmad, who was secretary of the United Front election office, in course of interviews held in April, 1969, that the 'Awami League policy was to get Ganatantri Dal support as against that of Nizam-i-Islam to the Krishak Sramik Party'.

of the EPAL, came to the rescue of the Dal, pointing out that 'the fact that the Dal was not represented in the Steering Committee (of the UF) does not make it less a component party of the United Front'.<sup>1</sup>

The general direction and decision-making of the UF during the pre-election period rested in the triumvirate of Huq, Bhashani and Suhrawardy. Huq was understood to have been the acknowledged leader of the UF with responsibility to lead the party to the polls.<sup>2</sup> Bhashani and Suhrawardy did not contest for seats in the legislature, the general impression being that the former preferred to remain closely associated with the EPAL organisation and the latter interested in politics at national level.

The primary object of the UF was to defeat the Muslim League in the elections. As has been observed, the UF 'was not a political party in the strict sense but rather an election alliance of several divergent groups united on the negative aim of defeating the ruling party, the Muslim League'.<sup>3</sup> It has been noted that 'the decision of the Awami League to enter an electoral alliance with the weaker opposition parties is still a matter of controversy'. Bhashani was stated to have been 'persuaded by some leftist elements' to suggest the idea of a

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1. See, Dawn, Apr. 14-18, 1954.

2. It has been observed by Kamruddin Ahmad to the present writer in April, 1969, that Suhrawardy was not a signatory to the United Front pact. It was understandably so, as Bhashani and Huq signed formally as leaders of their respective parties. In a letter to Huq, dated January 13, 1954, Suhrawardy noted, 'we have decided and have honestly accepted your leadership'. (The letter has been quoted with the kind permission of S.A. Huq).

3. G.W. Choudhury, The East Pakistan Political Scene, 1955-57, Pacific Affairs, vol. XXX, No. 4 (Dec. 1957), p. 312.

joint front. He was also believed to have been 'not particularly confident about the Awami League's chances as an independent political organization in the elections, as the Muslim League was busy mobilizing all its resources on the eve of elections'.<sup>1</sup> Suhrawardy, it has been suggested, was not particularly keen on a united front.<sup>2</sup> It has also been noted that as contrary to expectations Huq organised his own party instead of joining the AL, it was found necessary to form a united front to secure his co-operation.<sup>3</sup> While Huq's support might have been considered a major gain in strengthening the electoral prospects of the EPAL and a combination of opposition parties a preventive to any possible break-up of opposition votes, the KSP undoubtedly benefited from the groundwork for elections put in by the EPAL from the beginning and what is more, its candidates spared the necessity of having to face candidates of two parties, the EPML and the EPAL, both better organised than itself. The smaller and weaker parties were likely to better their election performance by combining in a united front.

The Front, an election alliance put up at the last hour (the election being originally scheduled in February, 1954) for the sake of defeating the incumbent party, inevitably contained the seeds of disintegration within itself. The leading characters and parties remained engaged in various moves to counteract the strength of their rivals who were

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1. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 576.
  2. Kamruddin Ahmad, op.cit., p. 127-9.
  3. Abul Mansur Ahmad, op.cit., p. 254.

allies within the Front. The leaders of the two important parties had no substantial record of co-operation in political field earlier or even before independence. The smaller parties which claimed the benefits of the United Front, as did the Nizam-i-Islam and the Ganatantri Dal, were radically opposed to each other. Serious differences arose within the Front over nominations of candidates and only the threat of a Muslim League victory was stated to have held it together. According to the agreed procedure, certain factors were to be given consideration while nominating candidates - influence of the candidates' families within the locality, personal popularity as social worker and financial resources to conduct elections against League candidates.<sup>1</sup> Perhaps an idea of the extent of disagreements over nominations within the parties and in the triumvirate of UF leadership may be had from certain developments noted below. On January 12, 1953, barely two months before the elections were finally held and the UF still in the process of nominating candidates, Fazlul Huq in a brief note informed Suhrawardy that 'for various reasons' he decided 'not to take any part in the proceedings of the committee which is now working in the matter of selection of candidates'. It was reported the following day that Huq was prepared to review all the nominations which had been passed by the steering committee. In a letter dated the same day, Suhrawardy wrote to Huq that he was 'deeply distressed at the turn of events' in the Front. Referring to nominations in certain districts, he wrote,

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1. Kamruddin Ahmad, op.cit., p. 128.

I found that there was a feeling of 'you and me' and 'me and you', which was most unbecoming and against the principle we have accepted, namely to nominate the best candidate, who has the greatest chance of defeating the Muslim League irrespective of the Party to which he belongs. It was stated to us that in the List which we have already agreed to it has been found that a very large number of those selected belong to the Awami League. It follows therefore that in the future the criterion will not be that of the best candidate with the best chance, but ... that he must belong to the Krishak Sramik Party, so as to bring up the proportion to equal numbers. This shatters the very basis of a United Party.... It would appear as if the star of the Muslim League is shining brightly once more. 1

The triumvirate indeed failed to reach agreement over several constituencies, and there were instances where the official UF candidates were opposed by candidates known to have the backing of one of the leaders or parties.<sup>2</sup> The Nizam-i-Islam Party, in protest against 'irregular' UF nominations and selection of some known as 'corrupt' and 'communist', put up about 37 candidates independent of the Front and in opposition to Front candidates.<sup>3</sup> There were also indications of dissatisfaction within the Awami League over nominations. Protests were made at the manner of selection and, what was referred to as, undue influence of certain politicians.<sup>4</sup> Some dissatisfaction, however, was bound to arise as local Awami Leaguers who had no doubt been preparing their field for the elections, were made to give way to members from other parties.

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1. The present writer is indebted to S.A. Huq for his kind permission to consult the letters of A.K. Fazlul Huq and Shaheed Suhrawardy, dated Jan. 12 and Jan. 13, 1954, respectively. Also, on the differences between the parties over nomination, see Abdur Rab, op.cit., pp. 89-90.
  2. For example, see, Azad, Feb. 19, 1954. Also see Ataur Rahman Khan, op.cit., p. 78.
  3. Azad, Feb. 13, 19, 1954.
  4. For example, see ibid., Jan. 3-Feb. 8, 1954. Certain amount of reservations here need to be placed, however, considering that the Azad was supporter of the Muslim League.



The United Front announced its manifesto, the 21-Point Programme, in the third week of December, 1953.<sup>1</sup> The manifesto, it has been observed, 'managed to promise something to everybody'.<sup>2</sup> However, its appeal lay in demands which had found expressions earlier at various stages of political agitation in the province and with which popular dissatisfaction against the Muslim League had been associated. The Programme included, among other points, recognition of Bengali as one of the State languages of Pakistan, autonomy on the basis of Lahore resolution with the central government having jurisdiction only over defence, foreign affairs and currency and establishment of naval headquarters and ordnance factories in East Pakistan, repeal of all Safety and Preventive Detention Acts, abolition of zamindari and all rent-receiving interests in land without compensation and distribution of surplus-land among cultivators, nationalisation of jute trade under the direct control of the government of East Pakistan and securing fair price to jute growers, rehabilitation of refugees, introduction of free primary education and repeal of the 'black laws' of Dacca and Rajsahi universities. Most of these and the other provisions, it may be noted, had already found places in the manifestoes and programmes of individual parties. The 21-Point Programme was by no means left-wing or radical, and the only sphere in which it demanded some fundamental adjustments concerned centre-province relations.

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1. Ibid., Dec. 19, 1953; Dawn, Dec. 20, 1953. The text of the 21 Point Programme which has been appended is taken from a political pamphlet of the Awami League. See, Appendix III. For a background, see, Abul Mansur Ahmad, op.cit., pp. 254-9. Gankovsky and Gordon-Polonskaya have discussed the 21 Point Programme in, op.cit., pp. 199-200.
  2. Callard, 'The Political Stability of Pakistan, op.cit., p. 11.

Nevertheless, the Programme held out hopes for cultivators, jute growers, teachers, students, refugees and so on. Four of the 21 Points related to Bengali - recognition as a State language, conversion of Burdwan House (then the chief minister's official residence) into a students' residence and afterwards into a research institute of Bengali language and literature, building of a monument to the memory of the 'martyrs who gave their lives for the Bengali language' on February 21, 1952, and declaration of February 21 as a 'Shaheed (Martyrs) Day and a public holiday. The Programme also promised that the life of the assembly would on no account be extended and all vacancies in the legislature should be filled through by-elections within three months of their occurrence. Two of the provisions included promises of investigations into certain actions of Muslim League regime with threats of punishment to those found responsible. The United Front with its combination of powerful and popular leadership and programme was a formidable opponent for the Muslim League.

The electoral preparations for the Muslim seats (237) held the centre of the political stage during the winter of 1953-54. The real battle was being fought here, for, the outcome would determine the next government. Minority parties, preparing for election for the non-Muslim seats (72) were on the side lines as it were. The results could not be expected to affect the future government, unless of course the Muslim seats were deeply divided - a theme that was being repeatedly used by the Muslim League, pleading for national unity - or the party/parties which came to be in power sought co-operation from all willing to associate with the government irrespective of the parties' communal composition.

A Minorities United Front was formed of the Gana Samiti, the Abhoy Ashram and the East Pakistan Socialist Party for election purposes. The Gana Samiti appeared to be the leading partner of the MUF; the other two were extremely small and lacked leaders who had already established themselves in the political scene.<sup>1</sup> In November 1953 there was an attempt to forge a 'joint front' of the PNC and the parties comprising the MUF and a co-ordinating committee was set up for selection of candidates.<sup>2</sup> But ultimately, the move did not appear to have materialised. It is not known if there existed any link between the UF and the MUF. There appeared to have been an impression in certain circles that MUF was a counter-part of the UF, operating exclusively in minority politics.<sup>3</sup>

### 3. Elections.

Under the Provincial Legislative Assemblies Order, promulgated on August 14, 1947, the East Bengal assembly was deemed to have come into existence from August 15, 1947. The opposition contended that the tenure of the assembly therefore expired in 1952. But as the first session

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1. Abhoy Ashram at Comilla was centre of a Gandhian group. See, Weiner (ed.), State Politics, p. 274. Saul Rose has noted that the Socialist Party was predominantly composed of Hindu member. Op.cit., pp. 56-69.

2. Dawn, Nov. 25, 1953.

3. Statesman, Mar. 11, 1954.

of the assembly was held in March 1948, it was maintained on behalf of the government that under section 61(2) of the Govt. of India Act 1935 as amended, its five-year term was to expire in March 1953. Section 61(2) also provided that the expiration of five years would 'operate as a dissolution of the assembly'.<sup>1</sup> But the provincial government was not prepared to face the election in 1953. In March 1953, the Constituent Assembly extended the life of the assembly by another year.<sup>2</sup> Election dates, originally set for February 1954, were subsequently shifted to March. The chief minister indicated that this was done at the request of the United Front,<sup>3</sup> but no doubt the League thereby gained some precious time to bring its own electioneering to a climax. Two important foreign policy developments, one of them being the announcement of U.S. military aid, towards the end of February, and a whirlwind tour in East Pakistan in the first week of March by the 'Madar-e-Millat' Miss Fatima Jinnah, the Quaid-e-Azam's sister,

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1. For the Govt. of India Act 1935 as adapted, see Unrepealed Constitutional Legislation.

2. The above is based on the speech of the law minister of Pakistan in course of discussions on the East Bengal Legislative Assembly (Continuance) Bill, 1953, when he refuted the opposition argument that the tenure of the assembly had already expired by 1951-52. For reports on proceedings of the Constituent Assembly, see Dawn, Mar. 9-11, 1953.

The question of election was raised as early as February 1951 in the East Bengal assembly and the chief minister asked to announce his decision. A cut motion was moved that year and another in 1953 during budget sessions. See, EBLAP, vol. V, no. 1, p. 312; vol. V, no. 2, p. 112; vol. X, no. 1, p. 336.

3. Azad, Nov. 11, 1953, Feb. 18, 1954; Dawn, Feb. 20, 1954.

canvassing for the League, may be seen in this light.<sup>1</sup>

The election was to a much larger House, and on the basis of universal adult franchise. In April 1952, the Constituent Assembly of Pakistan amended the Govt. of India Act, 1935, to provide for universal adult suffrage and to readjust seats for the East Pakistan assembly. While the special constituencies were abolished, the system of separate electorates was preserved against the wishes of a large section of the Hindu minority community, and in fact, was carried further to give separate representation to the Scheduled Castes and the religious minorities of Buddhists, ~~and Christians~~, the former in spite of vehement opposition from the Caste Hindus and certainly some substantial opposition from certain sections of the Scheduled Caste community itself. The seats were divided so as to give representation to voters described as Muslims, General including the Caste Hindus, Scheduled Castes, Buddhists and Christians with reservation of seats for women under the first three categories. The Census of 1951 was made the basis for distribution of seats.<sup>2</sup> Table 7 below indicates the community and population-wise distribution of seats for the second assembly.

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1. See, Dawn coverage of the East Bengal election from March 1-8, 1954. It has been suggested that the decision to grant American military aid to Pakistan was made public by President Eisenhower on February 21, in compliance with the request from the Pakistan Government who had hoped that such an announcement might help the League to gain an election victory in East Pakistan. See, Gankovsky and Gordon-Polonskaya, op.cit., p. 200.
  2. CAPD., vol. XI, no. 3, pp. 47-51, nos. 4-8, pp. 64-220.

Table - 7

Distribution of seats of the Assembly, 1954-58, on the basis of population of the various communities.

Type of constituency (1)	one seat giving representation to approximately - (2)	in a total population of - (3)	total seats - (4)
a. Muslim	1,41,345	3,22,26,639	237 (9)
b. General, including Caste Hindus	1,40,933	42,27,982	31 (1)
c. Scheduled Castes	1,40,340	50,52,250	38 (2)
d. Buddhists	1,59,475	3,18,951	2
e. Christian	1,06,507	1,06,507	1
Total	-	4,19,32,329	309

(Note: Figures within brackets under column (4) indicate the number of seats reserved for women. The figure corresponding to b. under column (1), in column (3) include about 30 thousand classified as 'others' than Caste Hindus. The above is based on CAPD, vol. XI, no. 3, pp. 47-48).

Some indication has already been given of the programmes and policies of opposition forces for the approaching election. The EPML announced its election manifesto at the end of November, 1953.<sup>1</sup> The Muslim League electioneering

1. For details of the draft manifesto of the EPML, see, Dawn, Nov. 28, 1953.



techniques largely consisted of: appeals to Islam and unity of the Muslim nation and to the memory of Jinnah, recalling of the rôle of the League in the achievement of Pakistan, describing the League as the party of the Quaid-e-Azam, references to the progress made under the League during the past years, holding out of the spectre of foreign influence and domination, particularly Indian and Communist, in the country's political life and of eventual disintegration of the country in case the opposition forces came to power.<sup>1</sup> It was commented on the eve of election,

The Muslim League is fighting it out in the name of the 'very existence of Pakistan', greater harmony between East and West Pakistan and between East Pakistan and Centre, an Islamic constitution, and on the plea: 'We achieved Pakistan, we alone can consolidate it'.

The Muslim League has called much upon what they call the inherent disunity among the component parties of the United Front and the possibility of their coming in power with the Hindus. 2

The opposition complained before the election that the government arrested their political workers under the Public Safety Act and thus put them out of action.<sup>3</sup> The League also relied heavily on personal campaign by those of leading ranks. Nurul Amin led his cabinet colleagues (all but one sought re-election) and party office bearers in the field and was joined by Leaguers

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1. The above is based on impressions gathered from a fairly large number of speeches of leading Muslim Leaguers, engaged in the election campaign, as reported in Dawn and Azad from December, 1953 to March, 1954.
  2. Dawn, Mar. 8, 1954. The above is quoted from an APP report.
  3. For examples of the figures of arrests and detentions and opposition claims, see, Ibid., Feb. 25-Mar. 4, 1954.

of national standing and repute.<sup>1</sup>

The League leadership appeared to be aware of the adverse trend of public opinion, and of widespread popular disaffection. It was a measure of the failure of Nurul Amin's politics that during the election campaign prime minister Mohammad Ali broadly hinted that the leadership of the EPML could be changed after the party was returned to power.<sup>2</sup> It was also given out by the prime minister that '15 to 20 per cent only of the sitting MLAs have been given nominations by the Muslim League for the coming election'.<sup>3</sup> A close scrutiny reveals that in fact 43 per cent of the sitting Muslim MLAs of the first assembly were awarded Muslim League party tickets for the second assembly; the percentage rises somewhat if those who left the League are excluded from our calculations.<sup>4</sup> A simple breakdown of the total figure of 98 sitting Muslim members of the first assembly, is attempted below. Forty-two

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1. Notable among those were Mohammad Ali (B), prime minister and the President of PML; Sardar Abdur Rab Nishtar, member, PML working-committee; Sardar Amir Azam Khan and Ghiyasuddin Pathan (B), ministers of state; Dr. A.M. Malek (B) and Tafazzal Ali (B), central ministers; Chaudhry Fazle Elahi, general secretary, PML; Hassan Mahmud, chief minister, Bahawalpur; Sardar Ibrahim Khan, President, All-Jammu and Kashmir Muslim Conference; Maulvi Tamizuddin Khan (B), Speaker, Constituent Assembly. ((B) refers to those who were themselves from Bengal). It may be noted here that the opposition also received support, though in limited scale, from sympathisers and political workers, mainly of Awami League, from the western wing.
  2. For example, note his speeches at Bogra and Kushtia as reported in Dawn, Jan. 24 and Mar. 2, 1954.
  3. The above is quoted directly from a Dawn report, dated Jan. 24, 1954. Also see, ibid., Mar. 8, 1954.
  4. The figure mentioned by the prime minister assumes relevancy, however, if the number of those nominated by the League with experience of first assembly (42) is taken as a percentage of the total of League nominations for the enlarged second legislature (236), which gives a percentage of about 18.

of them were given Muslim League nominations. It could be asked of course, why did these, and not others, receive the party nominations? In other words, what were the factors that worked in their favour in the nomination process? A satisfactory answer would require intimate knowledge of the ingredients of Muslim League district and local politics, relating them to the provincial, and perhaps central, politics of the party. But observations here are restricted, for paucity of material, to some general comments only.<sup>1</sup> These men included all cabinet members except one (who did not contest), some of the parliamentary secretaries and members of the party executive and the Speaker, in addition to those who could perhaps be best described as leading party members of their districts or localities. Obviously, not all in this last category were proven party faithfuls; the list of nominations included a few of those who had shown manifest signs of party disloyalty during 1947-53. Nine out of the 98 members appeared in the election as United Front candidates. This group included, among others, the core of the Awami League group of the first assembly, some of whom, like Khairat Hossain, had emerged as Muslim League critics as early as 1948-50; there were also, like Yusuf Ali Chowdhury, some who had been propelled out of the League primarily due to factional quarrels. Eight contested the election in their independent capacity. In all likelihood, failure to obtain nominations from either the Muslim League or the United Front (some had shown tendency towards opposition to Muslim League in the first assembly) and a certain confidence in their electoral prospects, led them to

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1. There has been no study of the 1954 election. Adequate information on factors involved in party nominations is not available.

present themselves as independent candidates. A large proportion, 39 in all, did not contest in the election. A query which must be left totally unanswered is, how many of them did apply for party tickets, and to which party? All that could be assumed here is that there were cases of voluntary retirements (obviously, for a variety of reasons) from the province's parliamentary politics as well as of dis-appointments in not receiving party nominations, the latter coupled with perhaps an appreciation of inadequate resources, or of bleak electoral prospects, in fighting the elections in individual capacity.<sup>1</sup>

The following Table indicates the number of contested, uncontested seats, candidates and major parties, for the various types of constituencies in the election. The EPML

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1. The figures mentioned in the paragraph above were obtained by comparing the Alphabetical List of Members of the East Bengal Legislative Assembly of July, 1953, which was up to date for the last session held in August-September that year, with the final list of candidates for 1954 election as published in the Dacca Gazette Extraordinary, Jan. 28, 1954. The only way of course was to check the addresses and constituencies of members of the assembly as given in the List with those of the candidates as noted in the Gazette. It was to be expected that the constituencies for 1954 election would not be the same as in 1946, because the constituencies were redemarcated to provide for an enlarged assembly. Therefore, while checking if a member of the first assembly contested in 1954 election, the names and addresses of all candidates from constituencies from his sub-division and from neighbouring constituencies, as given in the Gazette, were noted. The assumption here, of course, was that members did not move for electoral purposes from areas which, at least on the basis of 1946 election, they could regard as their own constituency areas. Minor discrepancies of the forms and spellings of names and addresses were overlooked.

Table - 8

Constituency-wise break-up of contested, uncontested seats, number of candidates and major parties.

(1)	Muslim (2)	General, incl. Caste Hindus (3)	Sche- duled Caste (4)	Budd- hist. (5)	Christian (6)	Total (7)
a. Seats	237(9)	31(1)	38(2)	2	1	309
b. uncontested	-	3(1)	1(1)	-	1	5
c. contested	237(9)	28	37(1)	2	-	304
d. contesting candidates	1018(32)	101	154(3)	12	-	1285
e. major parties	EPML UF	PNC MUF	PNC, MUF SCF (in 3 fact- ions)	-	-	-

(Note: The Table is based on Dawn, Mar. 4-8, 1954 and the Dacca Gazette Extraordinary, Jan. 28, 1954. Bracketed figures in the Table relate to reserved seats for women. Smaller parties have not been noted in the Table. In fact, a number of very small parties have been completely left out in the text. There were reportedly 16 parties taking part in this election, see, Dawn, Feb. 3, 1954).

set up candidates in 236 constituencies and was opposed by the UF in 234,<sup>1</sup> the two parties facing each other in straight

1. It must be noted here that there have been found slight differences in figures for nominees as well as winning candidates of various parties in the sources consulted.

fights in 41 of these constituencies. There were five candidates from the Khilafat-i-Rabbani Party.<sup>1</sup> The Communist Party set up 7 candidates for Muslim seats.<sup>2</sup> Almost half of the contesting candidates for Muslim seats - roughly about 530 in all - were independents, some of whom (as indicated earlier) stood as such with the known or implicit backing from the parties which collaborated in the UF for nomination purposes. The three uncontested General seats, including the reserved seat for women, went to PNC candidates. There were 25 PNC nominees for the rest of the General and 11 in the Scheduled Caste seats; there were also several congress 'supported' candidates.<sup>3</sup> Besides the MUF other parties in the field for General and Scheduled seats were small contingents of Communist and Ganatantri Dal nominees, three factions of the SCF each claiming to be the genuine Federation, and indeed a very substantial number of independents.<sup>4</sup>

The polling was spread over a period of five days, from March 8 to 12, only Muslim voters going to polls on the

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1. Sainik, Jan. 25, 1954.
  2. Dawn, Feb. 3, 1954. Besides reporting that the Revolutionary Socialist Party set up 28 candidates in all, the Dawn commented that a number of candidates with 'leftist leanings' were in the fight under 'independent and other labels'.
  3. The above is based on, What Congress Wants - Pakistan National Congress Election Manifesto, 1953-54 (Bengali, Congress ki chai - Pakistan Jatiya Congress Nirbachani Pracharpatra, 1953-54). Also see, Dawn, Mar. 8, 1954.
  4. Exhaustive figures are not available. The MUF reportedly put up 19 candidates in all (Dawn, Mar. 8, 1954), the Communist Party 5 in General seats (Sainik, Jan. 18, 1954), Banori faction of the SCF 32 for Scheduled Caste seats (Statesman, Mar. 11, 1954).



first day and minority communities and voters for reserved women seats joining in later.<sup>1</sup> The results began to be announced from March 15.<sup>2</sup> There was clear indication that the Muslim League had suffered a massive defeat. Even before the results began to be announced, the Dawn special correspondent covering the election, who only a few days earlier had estimated the League strength in the new House to be 100 out of 237 Muslim seats, admitted on March 13 that a 'landslide defeat for the League was feared'.<sup>3</sup>

The election swept the Muslim League out of power. All cabinet ministers, the Speaker, important provincial and central party executives seeking election were defeated, some even lost their deposits. The party won only 9 seats and later increased it by one with the addition of a member who had successfully contested as an independent candidate. The UF captured 215 seats which was augmented soon after election by another 8, all independents, leaving thus only 3 of the 12

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1. There were about a couple of instances of repolling later in the month. For schedules of polling and counting of votes in different constituencies, see, Dacca Gazette Extraordinary, Feb. 18, Mar. 11-12, 1954.
  2. For details of results, see, Dawn and Azad, Mar. 15 - Apr. 2, 1954. Official list of elected members was published in the Dacca Gazette Extraordinary, May 3, 1954. Some election facts and figures based on Dawn, Mar. 8-12, 1954, and figures published by the Home (Political) Dept., Govt. of East Bengal: Total voting population - approximately 20 million. Polling centres set up - 5412. Ballot boxes prepared and ballot papers printed reportedly to cope with a voter turn-out of 95 per cent. But actual votes polled came to be only about 35 per cent. (For comments of the Constitution Commission and the Franchise Commission on this low poll, see, Report of the Constitution Commission, Pakistan, 1961, p. 66 and the Report of the Franchise Commission, 1963, as published in Gazette of Pakistan Extraordinary, Aug. 23, 1963, p. 637y). A total of 24 election symbols were used. (For symbols used in the election see Appendix IV.). The cost of the 1954 election, as mentioned in the Franchise Commission Report noted above, amounted to a little over 10 million rupees.
  3. Mar. 11, 14, 1954.

successful independent candidates in their original status.<sup>1</sup>  
 The Khilafat-i-Rabbani was represented in the new assembly by one solitary member. The PNC obtained 24 seats in all.<sup>2</sup> The SCF faction led by D.N.Barori, a member of the Nurul Amin cabinet, fared miserably - Barori himself forfeited his deposit, while the Rasaraj Mandal faction of the Federation emerged successful. Party strength in the newly elected legislature stood as follows:<sup>3</sup>

<u>Muslim seats</u>			<u>Minority seats</u>	
United Front	223		PNC	24
Muslim League	10		MUF	10
Independents	3		SCF	27
Khilafat-i-Rabbani	1		Communist	4
			Ganatan-	
			tri Dal	3
			Buddhist	2
			Christian	1
			Independent	1
Total	237	+	Total	72 = 309

The causes of the Muslim League defeat have been assessed variously. The defeat has been dramatised as the effective use by the people of the 'weapon' of adult franchise

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1. The UF strength was reduced by one when Fazlul Huq resigned from one of the two constituencies from which he was returned. It was reported in May that another independent candidate joined the Muslim League. The independents as a whole suffered badly in the election. For example, of about 415 independent candidates appearing in 170 constituencies (for which exhaustive figures could be obtained from Dawn), nearly three-fourths forfeited their deposits.
  2. Ibid., Apr. 5, 1954. The figure stands at 23 if based on list of Congress candidates as noted in the PNC election pamphlet. (See, footnote 3 in p.221 above). Monoranjan Dhar on a subsequent occasion (see, p. 146, footnote 3, above) put the PNC membership in the second assembly to be 29, and claimed that the Christian and one Buddhist representative joined the party soon after election.
  3. Ibid., Apr. 5, 1954. No meaningful trends admittedly can be discerned as for regional concentration of party strength only from this one election result. It may be noted here, however, that all cases of Muslim League victories (in one, there being no UF candidate) were in multi-cornered contests. The Muslim League MLAs were all drawn from 5 districts in the province, two in the north - Rangpur and Jessore, and 3 in the east - Noakhali, Tippera and Sylhet.

'to do away with the reactionary elements in the society'. Resentments of the people against Punjabi domination, aspirations for full and complete autonomy, identification of the League with the move to make Urdu the State language of Pakistan, the police firing during language agitations, postponement of elections for so long and arrests of political workers under Safety Laws, have been offered as the main reasons for the United Front victory.<sup>1</sup> Park and Wheeler have attributed the Muslim League defeat to the grievances of East Bengal in the fields of her 'economic and developmental interests' against the central Muslim League, which were 'intensified by the language issue' and 'compounded by the alleged corruption and inefficiency of the Provincial Muslim League Government'.<sup>2</sup> Myron Weiner observed a certain correlation between the apparent closeness of the West Bengal Congress government to the centre in India and antipathy towards the province's government in West Bengal. He wrote, '... indeed, the closer the Congress government appears to be to the Congress government in New Delhi, the greater is this antipathy'. The causes for this antagonism, he explained, centred 'as much around cultural values and historic memories as contemporary political issues'. According to him, 'An analogous situation existed in East Bengal in 1954 when the Muslim League was virtually wiped out in provincial elections precisely because

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1. Kamruddin Ahmad, op.cit., p. 129.

2. 'East Bengal under Governor's Rule', op.cit., p. 129. Park also analysed the causes of the massive Muslim League defeat shortly after the election was held in, 'East Bengal: Pakistan's Troubled Province', op.cit., pp. 70-71. Also for more or less similar explanations, see, Stanley Maron, 'The Problem of East Pakistan', op.cit., pp. 132-4; 'Political Trends in Pakistan', World Today, vol. XIII, No. 10 (October, 1957), p. 444.

it was identified with Central government policy'.<sup>1</sup> A similar explanation, though from somewhat different standpoint, was offered by the then Election Commissioner before the Constitution Commission,

The unpopularity of the Muslim League Government was due mainly to its having taken an all-Pakistan view in the matter of development. The public was misled. The Muslim League was misrepresented to be not interested in the Province.<sup>2</sup>

The Commission, while acknowledging that the Muslim League 'had not kept in touch with the trend of public opinion in the province', observed that 'it did not deserve the crushing defeat which it suffered .... this defeat was inflicted in an upsurge of emotion, strong prejudice against the Muslim League having been created in the minds of the people by extravagant and fantastic propaganda'.<sup>3</sup> The Franchise Commission, appointed in 1963, however, dismissed the explanation that such propaganda was solely or mainly responsible for the Muslim League defeat. It attributed the defeat to the League's own unpopularity as a result mainly of the postponing of the general election till 1954, withholding of a fairly large number of by-elections which fell due, the inability of the Muslim League at the Centre to frame a constitution for the country for several years and the language controversy.<sup>4</sup> The Azad, as an organ of public opinion and as one so closely associated with the provincial League, was perhaps best

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1. Political Change in South Asia (Calcutta: Firma K.L. Mukhopadhyay, 1963), pp. 236-38.
  2. Report of the Constitution Commission, Pakistan, 1961, p. 67.
  3. Ibid., pp. 66-7.
  4. Report of the Franchise Commission, 1963, as published in The Gazette of Pakistan Extraordinary, Aug. 23, 1953, p. 637s.

equipped to analyse what it perceived to be the popularly ascribed reasons for the party's defeat. Of those noted were, injustice towards the language demand and the repressive policies of Nurul Amin towards the language movement, centre's policy towards East Pakistan, opposition to provincial autonomy as envisaged by the Lahore Resolution, economic misery of the people of East Pakistan, delays in constitution-making, lack of contact of the League with people, unification of the League and the government, dearth of workers and absence of powerful leadership in the party.<sup>1</sup> Attention needs also to be turned closely on the organisation of the party for possible explanations of defeat. Organisational failure of the League was certainly responsible, to some extent at least, for the party's failure. In the absence of any tradition of viable organisational structure in the pre-independence period (except to some extent in the 1940's) the party was in need of vigorous organisational drive in the period after independence, which it failed to receive. Indications of the vulnerability of the organisation to the rising and powerful opposition could be seen in a partial collapse of the party, in terms of personnel and in certain areas, as the elections drew near. The fact that Bhashani, Suhrawardy and Huq led the UF to such resounding victory also throw focus on the question: would the party have gone so completely out of political existence had its leadership not been disposed towards intra-party rigidity and a 'closed' organisation?

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1. Editorial of Mar. 22, 1954.

## CHAPTER IV

### POLITICS OF SECOND ASSEMBLY

#### 1. Tendency towards fragmentation of political parties.

##### I. Disintegration of the United Front.

Differences between the leading partners of the United Front, which surfaced on occasions during the election campaign, came to a head soon after the election was over. That the Front was destined to disintegrate before long was fairly obvious during the pre-election period, - there had been practically no basis, within that combination of parties, on which could be constructed any reasonably enduring partnership. Virtually the first act of the UF, in power after the election, was to precipitate the actual process of disintegration.

Fazlul Huq, as the acknowledged leader of the party was summoned by the Governor on March 26, 1954, to form the cabinet. The UF parliamentary party met the following week officially to elect him as party leader.<sup>1</sup> Abul Mansur Ahmad has revealed that this was preceded by a meeting of the Awami League members, where Huq's leadership of the party was not disputed; but, there was a section at that meeting who would have preferred to tie the hands of Huq, as it were, by first having an agreed list of cabinet members settled and ready for submission to the Governor, before strengthening his position by officially electing him as party leader.<sup>2</sup> The AL eventually

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1. Dawn, Mar. 27, Apr. 3, 1954; Azad, Mar. 27, Apr. 3, 1954.

2. Op.cit., pp. 260-2. The author who was a senior Awami League member of the second legislature narrated the party inner politics with authority and, to his credit, with some amount of detached objectivity.



was rebuffed by Huq who, on the day following his unanimous election as the parliamentary leader, proceeded apparently after some disagreement over AL members for the cabinet to form a nucleus four-man cabinet with one member from the Nizam-i-Islam and two, besides himself, from the Krishak Sramik party.<sup>1</sup> The rather protracted negotiations that followed widened the breach and the prospect of any immediate rapprochement appeared unlikely.<sup>2</sup> Faziul Huq's moves (particularly, his repudiation of Suhrawardy's criticisms of the provincial Governor Choudhry Khaliquzzaman for the delays in cabinet-making and his accusation that Suhrawardy had been creating 'immense difficulties' in his forming an 'ideal ministry') were also seen as indications of his intention to ignore the claim of other parties in the cabinet, to establish the KSP in power and, to this end, his anxiety to maintain good relations with the Muslim League at the centre.<sup>3</sup> The differences were also reflected in the policies of the Millat and the Ittefaq which were influenced, respectively, by the KSP and the AL.<sup>4</sup>

During this period, the NIP and the Dal also came to a clash. Ashrafuddin Ahmed Chowdhury, a cabinet member belonging to the NIP, in a reported statement after a few days of the formation of Huq's initial cabinet mentioned only the

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1. Dawn, Apr. 4, 1954.

2. The moves of party leaders were reported in newspapers throughout the period. For example, see Dawn and Azad, April-May, 1954. A discussion of the process will follow in a subsequent section of the present study.

3. See, for example, the report of Dawn staff correspondent, Apr. 24, 1954.

4. Dawn, Apr. 9, 1954.

AL, KSP and NIP as constituting the Front. A sharp rejoinder from Mahmud Ali, the secretary-general of the Dal, sought to vindicate the position of his party and criticised the Nizam-i-Islam member for being 'thoughtless enough' to have raised a question which might endanger the integrity of the UF. But the Dal emerged from the series of statements and counter-statements that followed without substantial advancement of its claim. The stand of the two major parties reflected their own preference in the matter. The general secretary of the Awami League supported the claim of the Dal, while a KSP spokesman maintained that the Dal was not 'officially' a member of the UF, which consisted only of the AL, KSP and NIP. Fazlul Huq, the leader of the UFPP apparently chose not to pay any heed to Mahmud Ali's threat that if Huq failed to convene an emergency meeting to consider the statement of Ashrafuddin Choudhury the Dal 'would have to think of other means for placing this serious matter before the Party'.<sup>1</sup>

It is fairly obvious that Fazlul Huq felt compelled to come to a truce with the Awami League when his reported statements during a visit to West Bengal in the first week of May, gave rise to serious criticisms in various political circles in East and West Pakistan.<sup>2</sup> Expansion of his cabinet

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1. Ibid., Apr. 12, 14-18, 1954; Azad, Apr. 17-18, 1954.

2. For Huq's speeches in West Bengal and the criticisms thereof in Pakistan, see Dawn, May 1-11, 1954. In East Pakistan criticisms came, for example, from the general secretary of EPML, the office secretary of the UF, from Bhashani and several UF members. Exceptions were particularly taken of his emphasis of the bonds between East and West Bengal and such utterances as, 'I do not believe in political divisions of a country, I am in fact not familiar with the two new words - Pakistan and Hindustan. When I speak of India I mean both the countries'. Huq complained that his statements had been used out of their contexts by his political opponents.

in Mid-May included Awami League members.<sup>1</sup> However, the cabinet was dismissed and parliamentary government suspended in the province at the end of May, when section 92-A was promulgated following labour rioting in some industrial areas and a reported interview of Huq with a foreign correspondent where he supposedly talked of 'independence' for East Pakistan.<sup>2</sup>

Party activities remained at a low ebb during the initial period of Governor's rule. In the first three weeks there were 1051 arrests in the province, made under the Public Safety Act, which included 33 members of the provincial assembly.<sup>3</sup> The UFPF meeting, scheduled for June 6, was not allowed to be held.<sup>4</sup> Huq, denounced a 'traitor' by the prime minister of the country, was placed under virtual house-arrest. In July, Huq announced his retirement from 'public life' due to old age.<sup>5</sup> Bhashani who had left the province before the imposition of section 92-A, to attend a conference abroad, stayed away for the time being.<sup>6</sup> Shaheed Suhrawardy, ailing,

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1. Ibid., May 14, 1954.

2. Ibid., May 16-31. The prime minister's broadcast in this connection, in which he also made references to Huq's speeches in West Bengal, was reported on May 31. For Huq's interview with John P. Callahan, see, New York Times, May 23, 1954, p. 12. Also see, pp. 304-5 below.

Under section 92-A of the Govt. of India Act, 1935, as amended, the Governor-General, in case of emergency, had power to direct the Governor of a province to assume on his behalf 'all or any of the powers vested in or exercisable by any Provincial body or authority (excluding a High Court)'. See Callard, Political Study, pp. 159-60.

3. Dawn, June 21, 1954.

4. Ibid., June 7, 1954.

5. Ibid., July 24, 1954; Callard, Political Study, pp. 58-9.

6. It was at this time that the Communist Party was banned in Pakistan and many prominent workers put behind the bars. Iskander Mirza, who succeeded Chowdhry Khaliquzzaman as the provincial Governor when section 92-A was imposed and later became interior minister of the centre called Bhashani a communist and warned that he would be arrested if he returned to Dacca. For example, see, Dawn, Nov. 18, 1954.

went abroad for treatment shortly after the promulgation of Governor's rule.

The Governor-General's dissolution of the Constituent Assembly in October 1954<sup>1</sup> introduced new elements into the fields of national and provincial politics. By his action the Governor-General discredited the Muslim League which had dominated the Constituent Assembly and, in fact, fulfilled a demand of the United Front leaders who had consistently asked for its dissolution.<sup>2</sup> It thus opened up prospects for the United Fronts coming to power.<sup>3</sup> Both Suhrawardy and Bhashani issued statements supporting the action of the Governor-General.<sup>4</sup> Fazlul Huq, only a few days before the dissolution, claimed that he was still the leader of the UFPP and denied having

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1. For a background, see G.W. Choudhury, Constitutional Development, pp. 141-5; Ivor Jennings, Constitutional Problems in Pakistan (Cambridge: University Press, 1957), p. 3; Callard, Political Study, pp. 141-7; Masud Ahmed Khan, 'The Failure of Parliamentary System of Government in Pakistan with Special Reference to the Role of the Governor-General and the President', unpublished M.A. (Econ.) thesis at the University of Manchester, 1965, pp. 47-66; for a legalistic study of the dissolution and subsequent developments, see, F.K. Mohammad Abdul Munim, 'Martial Law in the Indo-Pak Subcontinent', unpublished Ph.D. thesis at the University of London, 1960, pp. 391-406.
  2. See, particularly the UF leaders' statements in this connection after the election and prime minister Mohammad Ali's reply, Azad, Mar. 16, 24, 29, Apr. 1-2, 9, 1954. Also see, Park and Wheeler, 'East Bengal under Governor's Rule', op.cit., pp. 129-30.
  3. Also see similar comment of Richard S. Wheeler, The Politics of Pakistan: A Constitutional Quest, South Asian Political Systems Series (Ithaca and London: Cornell University Press, 1970), p. 219.
  4. Dawn, Oct. 26, Nov. 9, 1954; Azad, Nov. 9, 13, 1954.

ever announced his retirement from politics.<sup>1</sup> Conflicting claims were put forward by the parties regarding their respective strength within the Front.<sup>2</sup>

The Awami League, it has been observed, had hoped that its leadership would be called upon to lead the United Front government with the eventual withdrawal of Governor's rule and after Huq, denounced by the centre, had indicated his intention to retire from politics.<sup>3</sup> But now Huq's declaration that he had never wished to do any such thing, put him back with the claim to lead a UF government in the province.<sup>4</sup> The UF at this time was reportedly split on the issue of leadership - the AL in particular, wished to keep Huq out of power.<sup>5</sup> This was clearly demonstrated when the

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1. Dawn, Oct. 16, 1954. The Dawn linked this development with a reported visit of an 'emissary from Karachi' and observed that 'the same people who had been lately wooing Mr. Suhrawardy at Zurich are also trying to sound out Mr. Fazlul Huq at Dacca'. The source may, perhaps, be identified as the Governor-General whose powers had been drastically amended by the Constituent Assembly on Sep. 21. The prime minister, it may be observed, had left for abroad on the following day. Ataur Rahman Khan, the vice-president of EPAL, was known to have acted as a 'courier' between the Governor-General and Shaheed Suhrawardy. See, The Times, Dec. 6, 1954; Dawn, Oct. 15, 1954. Also, in this connection, Ataur Rahman Khan, op.cit., pp. 85-7.
  2. For example, it was claimed on behalf of Awami League that it had 140 members in the UF, while figures supplied from KSP quarters showed the AL membership to be 98 and its own strength considerably higher than AL calculations. Azad, Oct. 16, 1954; Dawn, Oct. 20, 1954.
  3. Abul Mansur Ahmad, op.cit., p. 273.
  4. Huq's July announcement of retirement from 'public life' was not in fact followed by any formal resignation from leadership of the Front. Asked if Huq had ever submitted his written resignation from the UFPF leadership, Ataur Rahman Khan replied in the negative. Dawn, Oct. 15, 1954.
  5. Ibid., Nov. 1, 1954.

Governor-General, evidently the dispenser of power, was greeted on his arrival at Dacca in November, by two reception committees from politicians belonging to the UF. One was led by Huq and the other by Ataur Rahman Khan who was vice-president of the EPAL.<sup>1</sup> The separate negotiations carried on by the Governor-General the following month at Karachi with Suhrawardy, Huq and their supporters regarding the proposed enlargement of the central cabinet, confirmed that the two parties did not wish to work in unison and that the Governor-General was aware of, and preferred, this split.<sup>2</sup>

From January 1955, a move was afoot in Awami League circles to bring in a motion of no-confidence in Huq as leader of the UFPF. Sheikh Mujibur Rahman, secretary of the EPAL, accused Huq of violating the rules of the UF and of 'making utterances without consulting the party or the cabinet' while he was the chief minister of the province. He claimed that Huq's 'insistence on being the leader' was an 'impediment in the way of restoration of parliamentary government' in the province. The motion of no-confidence was formally submitted in the first week of February, for consideration in a UFPF meeting to be held on February 17. Huq's supporters submitted a resolution affirming confidence in his leadership.<sup>3</sup> The significance was obvious. The group defeated in this trial of strength could continue to stay within the Front only with

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1. Azad, Nov. 11, 1954.

2. Dawn, Dec. 13-19, 1954. For details of negotiations with Suhrawardy, see, Abul Mansur Ahmad, op.cit., pp274-8.

3. Dawn, Jan. 2, 30, Feb. 4, 10, 13, 1955; Azad, Feb. 5, 1955.

a devalued political status. The alternative was a formal split. Mujibur Rahman was said to have claimed the support of Suhrawardy and Bhashani for his motion, while one section in the Awami League felt the top leadership was not favourably disposed towards such drastic move. Last minute attempts from this section failed to bring about a compromise and avert the crisis.<sup>1</sup>

The UFPF meeting of February 17 ended in complete fiasco, with conflicting claims from the two groups.<sup>2</sup> However, Huq appeared to have successfully retained his position, though the Awami League claimed that Ataur Rahman Khan had been elected as leader in his place. Besides, the AL also suffered a minor, but politically significant, splintering in its ranks. The Ganatantri Dal also on this occasion seemed to have favoured Huq.<sup>3</sup> There were later indications that if the differences between the two groups remained irreconcilable, the AL would sit in opposition in the assembly if power was entrusted to Huq's party.<sup>4</sup> The AL did not attend any further meeting of the UFPF. Ataur Rahman Khan, Sheikh Mujibur Rahman and Abul Mansur Ahmad were 'suspended' and Suhrawardy 'disowned' by the UF in a meeting of the UFPF held under Huq's leadership in

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1. Abul Mansur Ahmad, op.cit., pp. 279-81.

2. For claims, counter-claims and the 'signature campaigns' that continued from before, during and after the meeting, see Dawn, Feb. 4-Mar. 1, 1955; Azad, Feb. 5-23, 1955.

3. Azad, Feb. 21, 1955.

4. Dawn, Mar. 13, 19, 1955.



April 1955.<sup>1</sup> The breach became almost irrevocable.

The final stages of rift of the UF also coincided with the initiation of definite moves on the part of the centre to restore parliamentary government in the province. In fact the East Bengali politicians had been consistently demanding the withdrawal of Governor's rule from the latter part of 1954, and their appreciation of the prospect had contributed to the rift. Prime Minister Mohammad Ali at the end of his visit to East Bengal in March 1955, which had seen him engaged in extensive negotiations with political leaders, reportedly commented that formerly the approach of the central government to the question of restoration of parliamentary government had been on the basis of the UF as a whole. But the principal change which he had noted during his visit was that the government could no longer be formed by the UF as a whole, but by the majority section of the Front.<sup>2</sup> When after series of further negotiations, parliamentary government was restored in the province in the first week of June, Huq's nominee Abu Hossain Sarkar formed the government - an outcome, it was thought, of the UF's promise to help Mohammad Ali (there being only 10 Muslim League members in the East Pakistan assembly) get

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1. Ibid., Apr. 22, 25, 1955; Azad, Apr. 24, 1955. 'Suspending' the three Awami League members, the UFPP listed against them seven charges, which included, among others, their move to oust Huq from the leadership, 'deliberate and intentional creation of disruption' within the party, 'bargaining with the Centre over the head of the leadership' and 'without any reference to the party', etc., and asked them to show cause why they should not be expelled from the party. Suhrawardy was 'disowned' because as a minister in the central government he had not made any reference to the UF and for his support for the proposed Constitution Convention. For details of the resolutions, see, Dawn, Apr. 25, 1955.
  2. Dawn, Mar. 16-21, 1955. The prime minister's comments were reported on Mar. 21.

elected to the second Constituent Assembly.<sup>1</sup> The formation of an Awami League parliamentary party towards the end of June set the 'final seal to the division of the UF into two separate and distinct political parties in the province'.<sup>2</sup>

The government formed by Sarkar in June 1955 was, as Abul Mansur Ahmad has pointed out, 'in fact as well as in name' a United Front government.<sup>3</sup> A section of the AL in the form of the splinter group which had seceded from the parent body primarily over the issue of Huq's leadership, continued to stay within the Front. Sarkar's initial cabinet formed in the first week of June consisted of members from the KSP, the NIP and the AL splinter group.<sup>4</sup> The Ganatantri Dal also affirmed its support to the Sarkar ministry.<sup>5</sup>

However, the Dal apparently did not favour the coalition which the UF entered into with the Muslim League at the centre in August, 1955.<sup>6</sup> The party leader observed that under the

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1. See, ibid., May 28, June 6, 1955; Azad, June 1-6, 1955; G.W. Choudhury, Democracy, p. 59.
  2. The quotation is from a UPP report published in Dawn, June 24, 1955. 'Unity-talks' between the AL and UF in January-February 1956, when the latter was in power, failed to bear any fruit. Later, after the AL formed the government, there were moves from certain sections for a coalition between the AL and the KSP.
  3. Op.cit., p. 284.
  4. Dawn, June 7, 1955. Later enlargement of the cabinet included more members from these parties and group and from parties representing minority communities, see, ibid., Sep. 7-8, 1955.
  5. Ibid., June 21, 1955.
  6. The Dal claimed to have put forward a 14-point agreement for the basis of a coalition which was 'given up by the UF in a race against the AL to capture power'. See the comments of the secretary-general of the party in a press conference on Jan. 5, 1956 as reported in ibid., Jan. 6, 1956.

circumstances, the Dal would have to reconsider its relation with the UF in the Constituent Assembly and in the East Pakistan legislature. The central working committee of the party called upon Huq to explain the 'conditions' of the coalition, and indicated that the Dal's association with the Front would depend on his explanation.<sup>1</sup> No immediate development in this regard was noticeable. It was, however, commented in some circles at this time that the Dal was likely to be invited to nominate its representative for inclusion in the provincial cabinet.<sup>2</sup> But the provincial cabinet which was expanded in September included no member from the Ganatantri Dal. By the end of the year the Dal found its differences with the UF government acute and, in the events of the arrests of some of its leading members against the background of a police strike in the province, exacerbated. It issued an ultimatum setting out its terms and fixed a deadline, December 18, for a categorical declaration on the terms by the chief minister, failing which 'the association of the Dal with the UF will be treated as withdrawn and the Dal will no longer remain as component part of the UF'.<sup>3</sup> The replies

1. Ibid., Aug. 14, 22, 1955. The committee, however, adopted a somewhat milder tone in a resolution passed at the time and envisaged co-operation with the coalition government at the centre on the fulfilment of some specified conditions particularly in the field of constitution-making. The text of the resolution (resolution no. 2) adopted on Aug. 19, 1955, was made available to the present writer by Mahmud Ali, member of the second legislature and then secretary-general of the Dal.
2. Ibid., Aug. 24, 1955. Earlier, the Dal reportedly ended a year-old ban on its members' joining central and provincial governments.
3. The specific terms included the release of all political prisoners held under the Public Safety Act, and the repeal of the Act itself in the next session of the assembly, summoning of the assembly by January 15, 1956, setting up of a steering committee from the parties forming the UF to formulate government policies, and declaration by the UF leader on certain matters relating to the proposed constitution, particularly the method of representation (i.e. separate or joint electorate), state language, distribution of subjects between the centre and the province. For details, see, ibid., Dec. 13, 1955.

given by Huq and Sarkar were considered by the Dal to be 'vague' and 'not designed to fulfil any of the demands'. It, therefore, unanimously resolved to withdraw support from the UF. The Dal with eleven members in the assembly, formed itself into a separate parliamentary party and asked the Speaker for allotment of separate seats in the assembly.<sup>1</sup>

The Awami League splinter group led by Abdus Salam Khan dissociated itself from the United Front in July 1956. Two ministers belonging to the group resigned following the induction of three new ministers in, and the virtual dismissal of two members from, the existing cabinet by the chief minister, who claimed that he had been authorised by the party to reshuffle the ministry as he thought best. There were indications, however, that the chief minister's axe fell on those who had not been fully loyal to him and were not likely to command as much support as to endanger the stability of the ministry if thrown out. Besides, the chief minister needed to enlarge his ministry at the time in order to obtain support from other quarters. Representatives from the three groups willing to extend co-operation (a defecting group from the AL, a section of the UPP and of the SCF), could not be accommodated in the existing cabinet of thirteen without carrying out some sort of retrenchment. However, withdrawing support from the United Front, the AL splinter group complained that both Huq and Sarkar had failed to pay due considerations to the opinion of the party and criticised the inordinately large size of the cabinet, and the delays in calling the assembly into session and holding the by-elections.<sup>2</sup> The group of course had enjoyed a relatively

1. Ibid., Dec. 20, 1955, Jan. 4-6, May 15, 23, 1956; Azad, Jan. 2-6, 1956.

2. Dawn, July 10-15, 1956; Azad, July 12-14, 1956.

large slice of the ministerial appointments as a component of the UF, and its leader was claimed to have been elected the deputy leader of the UPPP following its break with the AL.<sup>1</sup> Hence, theoretically at least, it could be held equally responsible for the shortcomings of the UF government. The breach now occurred as much due to inner party politics as its own appreciation of the unfavourable position of the UF ministry at the time. The credibility of the ministry had sunk low, the ruling party had been utterly discredited because of its reluctance to face the legislature and, short of a major realignment of political forces, could not obviously cling to power for long. The group, claiming the support of about twenty-four members, indicated that it would ask to be given separate seats in the assembly.<sup>2</sup> When finally the assembly met for a regular session with a AL coalition government in power in September 1956, it claimed to be acting as an 'independent block'.<sup>3</sup>

For all practical purposes the United Front now ceased to exist. Only the KSP (somewhat shrunk in size due to defections from its own ranks) and the NIP remained united from what originally composed the UF. It is also doubtful if the latter could be regarded as a fullfledged member of the UF, for it did not commit itself to the 21 Point Programme, ostensibly the sole binding-force in the Front, inasmuch as it was brought into the Front by Fazlul Huq on the basis of

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1. See, Dawn, Feb. 22, May 28, 1955.

2. This figure is based on the joint statement of members announcing their decision to dissociate from the Front and their future plan. The list of signatories however shows that not all had been original AL seceders. See Azad, July 14, 1956.

3. EPAP, vol. XV, no. 1, p. 64.

a prior and separate agreement and programme. During the period when the UF formed the government, the Nizam-i-Islam Party's stand on the electorate issue had brought it several times almost to the verge of formal withdrawal of support from the Front. Soon after its formation in June 1955, the government had faced serious dissensions over the electorate issue which had assumed particular significance at the time due to several factors. The second Constituent Assembly was proceeding with the task of constitution-making, hence a definitive stand needed to be made soon. The AL had recently given a new turn to politics by opening its membership to non-Muslims. Also, the inclusion of non-Muslim members in the cabinet in September 1955, had demonstrated the need, in order to sustain the government, for support from the non-Muslim parties in the assembly, which were generally opposed to separate electorate. The NIP, reiterating its stand in favour of separate electorate, had then threatened that it would sever all links with the Front in case of the latter's failure to support separate electorate in the Constituent Assembly. The party had also appeared to have been against the inclusion of non-Muslims in the provincial cabinet.<sup>1</sup> For the Front, however, the price of appeasement would have amounted to the loss of support of the Dal and the parties representing minority community. Anyway, the final stage of constitution-making still found the UF undecided on the issue.<sup>2</sup> However, the need to take a final decision was spared for the time being, and the risk of a possible rift avoided when the Constituent Assembly itself decided to entrust the responsibility with the

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1. For example, see Dawn, Sep. 29-30, Oct. 1, 5-9, 13, 24, 1955.

2. Ibid., Feb. 19, 1956.

provincial legislatures.<sup>1</sup> There was renewed interest in the matter before the East Pakistan assembly was due to meet in August 1956. While the NIP strongly demanded that the assembly recommend the system of separate electorate, Sarkar admitted as late as the end of July that the UFPF had not yet taken any final decision.<sup>2</sup> Finally, the working partnership almost broke down after Sarkar, faced with certain defeat on the floor and several censure motions, again avoided meeting the legislature and advised the Governor to prorogue the assembly on August 13 before it could transact any business. The NIP parliamentary party and working-committee directed its members in the cabinet to tender their resignations in protest against the prorogation of the assembly. The actual resignations appeared to have been deferred for the time being. On August 30, upon a directive by the central government either to face the legislature by August 31 or resign from office, the UF cabinet as a whole submitted its resignation to the Governor. It was indicated that the UF henceforth would continue to function in the opposition.<sup>3</sup> While some degree of co-operation was maintained between the KSP and the NIP in opposition, the two parties were known, and functioned, in their individual capacity.

The UF leaders blamed machinations by central leadership for the disintegration of the Front. Bhashani interpreted the political developments of the time thus:

To save themselves from the crisis (of defeat of the League in East Pakistan) the rulers at the centre thought it best to create breach in that symbol of peoples' unity the United Front and win

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1. Ibid., Feb. 21, 1956.

2. Ibid., July 27, 31, Aug. 5, 1956.

3. Ibid., Aug. 14-17, 28-30, 1956; Azad, Aug. 15, 1956.



over one section of it. In order to achieve their end, first they forcibly dismissed the UF government, imposed Governor's rule, created terror in the province by widespread arrests and then in that terror-stricken moment of weakness, they instigated one section of the UF leadership against another and ultimately brought about disintegration of United Front.... 1

Abu Hossain Sarkar accused that the Muslim League coterie sought to 'divide and subdivide' the UF through 'their agents'.<sup>2</sup>

While both Abul Mansur Ahmad and Ataur Rahman Khan acknowledged the responsibility of the UF leadership itself for the break-up, they also apportioned blames on the centre. The former recorded of his impression of the central political scene of late 1954, that Gholam Mohammad and, on his advice, Mohammad Ali conspired to break-up the Front by creating discord between Huq and Suhrawardy.<sup>3</sup> Ataur Rahman Khan, commenting on Mohammad Ali's negotiations for restoration of parliamentary government in the province with UF politicians at Dacca in March 1955, observed that the prime minister set himself to work in a manner which in fact widened the rift that existed within the Front.<sup>4</sup>

It is no doubt true that the central leadership worked on the differences within the Front for their own purposes. But their responsibility lay in no more than a shrewd appreciation of the weaknesses of the Front and a successful exploitation of those weaknesses. Reasons for the disintegration must be sought within the organisation of the Front itself.

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1. North Bengal Awami League Workers Conference, 1955. Address of the President Maulana Abdul Hamid Khan Bhashani. (Translated from original Bengali).
  2. See statement of Abu Hossain Sarkar as reported in Dawn Aug. 31, 1956.
  3. Op.cit., p. 279, also see pp. 255-70.
  4. See his statement as reported in Dawn, Mar. 23, 1955; also see his book, op.cit., pp. 91-104.

The UF was a brilliant election strategy. But there was practically no blue-print for the continuation of the corporate existence of the Front after its objective as an election alliance was accomplished. It was not known to have worked out any agreed formula for cabinet-making to be followed once victory was achieved.<sup>1</sup> That such crucial factor was left out from calculations at those stages could perhaps be explained variously - mutual trust and good faith (which, however, was shown to have been lacking somewhat among the leaders and parties during the formation and nomination process of the UF), a very narrow and limited area of agreement among leaders at the time which precluded any definitive discussion of distribution of power in the event of victory, an intentional lack of commitments so as to preserve the parties' manoeuvrability once within reach of power, and/or any genuine difficulty to measure the parties' strength within the Front during the nomination process so as to determine their proportionate claims to the benefits of offices (which was demonstrated by the conflicting claims by AL and KSP after the election was over). Unrestrained by any guide-line in this matter, the UF, an alliance of such diverse ideologies as the NIP and the Dal and dominated by a mutually incompatible leadership, almost collapsed soon after victory. Once in power the component parties also failed to provide an institutionalised structure to the UFPP. For some inexplicable reason the election of the party leader on April 2 was not followed by

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1. Park and Wheeler, however, spoke of an 'agreed list'; see, 'East Bengal under Governor's Rule', op.cit., p. 130. But Abul Mansur Ahmad's account implies that there was no formal list as such. He makes the generalised statement that it was known to all which ten or eleven senior politicians would form the Huq cabinet. See, op.cit., p. 263.

those of the deputy leader, secretary, whips or such office bearers of the party.<sup>1</sup> One adverse effect of this was that Huq remained outside any scope of regulation by the party particularly at the crucial period following the election. Mostly Suhrawardy and to some extent Bhashani sought to influence him from outside the parliamentary arena; the second-ranking leadership of the AL who were there could not be effective in the absence of a regularised channel of communication. It is also from this point of view - the need for a co-ordinating machinery for the parties, that the later Ganatantri Dal plea for a 'steering-committee' can be appreciated. That these failures in the Front contributed to its disintegration is evident from the process of break-down of the party. It is difficult to tell what would have been the shape of the party, with the semblance of unity restored by middle of May by the joining of AL in the cabinet, if Governor's rule had not been promulgated at the end of May 1954 to last for a year. But as it happened, during the period of Governor's rule, the leaders and parties tended to pull apart by the prospects of power at the province as well as in the centre, the experiences of April-May, and the inclinations of the leaders to carry their own party to power if need be by out-manoeuvering others. Certainly, during this period they were allowed, to use the expression of Stanley Maron, to 'stew in their own juice'.<sup>2</sup>

It was observed as early as December 1954 that 'the unity of the United Front is hard to assess'. One of the reasons mentioned was that 'it has never held a party conference'.<sup>3</sup> In fact, once the election was over, the UF remained

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1. Abul Mansur Ahmad, op.cit., p. 263; Dawn, Apr. 3, 1954.

2. 'The Problem of East Pakistan', op.cit., p. 139.

3. 'East Pakistan's Dilemma - Irresponsible Local Leadership', The Times, Dec. 6, 1954.

outside the legislature a vague and amorphous body. Thus it may be said that there was no United Front apart from parliamentary party. In other words, parties within the Front in the legislature did not, strictly speaking, need to function as such outside the legislature, a phenomenon which certainly contributed to a weakening of the Front. Formation of UF organising committees at various levels were reportedly undertaken in 1955, but was not followed by any noticeable activity. Besides, by that time, AL, the major partner, had already withdrawn from the Front. The UF also suffered from the inherent draw-backs of any mere election alliance. Justifying the right of the component parties to assume their individual existence in the legislature, it was pointed out that,

Those political parties which formed the UF did not do so by dissolving their own organisations. In fact, they formed the Front by keeping intact their separate identity. The 21 Point programme was the only basis for their unity. 1

## II. Splits and conflicts within the Awami League.

The Awami League claimed it had about 140 members in the United Front whose total strength, after alignment of independent members, stood at 223 in the first week of April 1954.<sup>2</sup> The party suffered a split in February 1955 over the

1. 'Rajnaitic Mancha' (the Political Stage - column devoted to comments on contemporary politics), Ittefaq, Jan. 7, 1956.
2. All figures of party strength noted in the text are to be taken as exact within a small margin. It must be pointed out that there were found slight discrepancies in figures in the various sources consulted. The difficulty arose partly because the nomination papers for election noted UF as the party of the candidates and made no mention of their own parties, and partly because of some amount of ambivalence on the part of some members. Abul Mansur Ahmad has noted the Awami League strength to be 143 (op.cit., p.261). Other sources put the figure at 140 (Richard L. Park, 'East Bengal: Pakistan's Troubled Province,' op.cit., p.72) and 142 (Dawn, Oct.20, 1954). In October that year the party strength was claimed to be 140 by the vice-president of the EPAL (Azad, Oct.16, 1954). The UF strength, noted as 223 at the beginning of April, was later mentioned as 227, i.e. all members from the Muslim seats excluding 10 Muslim Leaguers.

issue of Huq's leadership. A group of Awami Leaguers, led by Abdus Salam Khan and Hashimuddin Ahmed, disobeyed the AL mandate to vote for the no-confidence motion against Huq in the UFPP meeting. It was put forward that the primary loyalty of members elected on UF ticket was towards the Front under Huq's leadership.<sup>1</sup> It may of course be mentioned here that the group's pro-Huq stand was not sudden or entirely unexpected, and that on earlier occasions its members had shown some collaboration with Huq's supporters.<sup>2</sup> The defaulting members were served with 'show cause' notices on the basis of report submitted by the general secretary of the party after the UFPP meeting.<sup>3</sup> In March the leaders of this group were seen in negotiations with prime minister Mohammad Ali during the latter's visit to Dacca, independently of the AL. In April the party took disciplinary action against them.<sup>4</sup> The splinter group, led by Abdus Salam Khan and Hashimuddin Ahmed

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1. In course of interview with the present writer in April 1969, Abul Mansur Ahmad mentioned that in the working-committee meeting which was held on February 16 and was attended by 33 of its 35 members, Abdus Salam Khan, Hashimuddin Ahmed and Mrs. Anwara Khatun opposed the no-confidence motion and argued that members elected on UF ticket did not owe allegiance to the Awami League and that the Awami League had no right to vote against Huq. Recalling the issues involved, Hashimuddin Ahmed commented to the present writer that as the 1954 election was not strictly on individual party basis, he thought that members' primary loyalties should have been with the UF, over-riding their loyalties to the parties which composed it. The interview with Hashimuddin Ahmed, a prominent member of the group, took place at Mymensingh in April 1969.
  2. For example, note the list of signatories to a joint statement acclaiming the action of the Constituent Assembly, as reported in Dawn, Oct. 2, 1954, and the reports on the Governor-General's and prime minister's negotiations with Huq, Suhrawardy and their supporters in December 1954, particularly, ibid., Dec. 17, 1954.
  3. Ibid., Feb. 16, 20, 1955.
  4. Ibid., Mar. 17-18, Apr. 23, 25, 1955; Azad, Apr. 22, 1955.

remained within the UF and received important ministerial and parliamentary appointments when Sarkar formed the UF government with the withdrawal of Governor's rule.<sup>1</sup> There were also some preliminary attempts at organising a political party. When the Awami League opened its membership to non-Muslims towards the end of 1955 and consequently dropped the word 'Muslim' from its name, the AL splinter group, apparently opposed to such move, styled itself as the Awami Muslim League.<sup>2</sup> However, the leaders did not seem to have succeeded in organizing a political party.<sup>3</sup> This perhaps indicates that the group did not possess much influence over the organisation machinery while in the Awami League. Initially, the group acted with unity inside the assembly and appeared to have maintained a distinct entity within the Front.<sup>4</sup> But soon the group dissipated its strength in the legislature through further fragmentation. A minority section of it continued to back the Sarkar government within the UF when the group as such withdrew from the Front in July 1956. Several members, about this time and also subsequently, rejoined the AL.<sup>5</sup>

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1. Dawn, June 7, 17, Sep. 7, 1955. The Awami League on this occasion lost the support of about 20 members in the assembly. See, Abul Mansur Ahmad, op.cit., p. 284; Callard, Political Study, p. 59; Azad, July 6, 1955.
  2. Dawn, July 12, 19, Sep. 16, Nov. 5-6, 1955; Feb. 15, 1956.
  3. It was also admitted by Hashimuddin Ahmed, in course of interview with the present writer in April 1969, that the 'AML' 'did not have any organisation outside the legislature'.
  4. For example, see, Dawn, Nov. 16, 1955, Feb. 15, 1956.
  5. Three out of four ministers from this group resigned from the Sarkar cabinet and came out of the Front with a majority of their following. Ibid., June 7, Sep. 7, 1955; July 12-16, 1956; Azad, July 12-14, 1956.

In July 1953, the AL Council had discussed the question of opening its membership to all. Though the leadership was apparently in favour of the move, there was a section in the council which was in opposition. Bhashani had then been entrusted with the responsibility of making the final decision, which he indicated he would do after ascertaining the views within the party.<sup>1</sup> In a meeting of party workers after the election of 1954, Bhashani made known his position in favour of a non-communal organisation. A joint meeting of the presidents and secretaries of district and sub-divisional Awami Leagues also passed a resolution demanding that the name of East Pakistan Awami Muslim League be changed into East Pakistan Awami League - a fact which signified that the party organisation was now wholly in favour of turning the AL into a non-communal body.<sup>2</sup> The council of the AL, meeting in October 1955, amended the constitution to open its membership to all. The amendment was reportedly supported by 600 councillors with only five against.<sup>3</sup>

However, several members of the party in the assembly, who were mostly aligned with the seceding Salam Khan-Heshemuddin group, were reportedly against the change, while others apparently adjusted themselves to the decision of the party.<sup>4</sup> At

1. Azad, July 4-6, 1953. The election of office-bearers was also on the agenda before the council. It was suggested at the time that the election of the general secretary and the question of a non-communal organisation was intertwined. The followers of Suhrawardy were said to have supported the candidacy of Sheikh Mujibur Rahman, as they were in favour of the move; it was not suggested however that Bhashani was against it. (Sainik, July 3, 10, 1953). The draft manifesto, prepared soon after the formation of the party by its first general secretary, was in many respects an idealistic document and was pervaded by an Islamic conception of statehood, while recognising the religious rights of all. East Pakistan Awami Muslim League Draft Manifesto (1949), (Bengali), published by Shamsul Huq, general secretary of the party.

2. Dawn, Apr. 23, May 1, 1954.

3. Ibid., Oct. 23-24, 1955; Azad, Oct. 23, 1955.

4. Azad, Oct. 27, Nov. 12, 17, 1955; Dawn, Nov. 3, 1955.



the time of the next session of the assembly, the AL parliamentary party was joined by two non-Muslim members.<sup>1</sup> The decision also opened the way for closer understanding with the minority parties and affirmed its stand in favour of joint electorate.

The Awami League party suffered several minor defections in the legislature,<sup>2</sup> none of which however appeared to have affected the party organisation. The split which seriously damaged the organisation and also undermined its strength in the legislature centered around the two Awami League leaders, Maulana Bhashani and Shaheed Suhrawardy. Both had contributed to the growth and development of the party and were likely to have built up their bases of support in the organisation. Thus, it was inevitable that when their differences finally led one to leave the party, the entire organisation was roughly shaken; the split extended from the leadership through the working-committee down to the district level.<sup>3</sup> And yet, it would appear, the two politicians were ideally fitted to play complementary roles within the Awami League when the party came to hold the responsibilities of government in the province and the centre. A certain division of labour - Suhrawardy, the more adept at parliamentary politics, giving lead to the party within the framework of legislative institutions, Bhashani, more at ease in oppositional politics, speaking as the voice of

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1. Dawn, May 25, 1956.

2. For example, see Dawn June 16, 1955, Apr. 4, 1957; Abul Mansur Ahmad, op.cit., p. 284.

3. Awami League politics at district level at this time has been briefly noted in, M. Rashiduzzaman, 'Awami League in the Political Development of Pakistan', op.cit., p. 579.

the organisation, keeping the parliamentary leadership on the alert and tending to the mass roots of the organisation - would have ideally contributed to the strength and harmony of the party. But, as has been pointed out, Bhashani who was by nature an oppositionist politician, went beyond reasonable bounds of criticisms and demands and embarrassed the party while it was in power.<sup>1</sup> The differences between Bhashani and Suhrawardy also lay in the places they occupied within the ideological gamut of the party. Bhashani, while not strictly a communist, was left wing.<sup>2</sup> Suhrawardy was a 'middle of the roader' - 'a voice of moderation', as he has been called.<sup>3</sup> The basic difference in the realm of policy between Bhashani and Suhrawardy lay in the field of foreign policy of the country. This difference may be illustrated in their own words. According to Bhashani,

In the field of foreign policy, the government of Pakistan has tied itself to the imperialist powers.... If Pakistan leaves the imperialist war bloc, adopts an independent and neutral policy in international affairs, follows a policy of peace and maintains good relations with all the nations of the world, then, on the one hand, Pakistan's independence and sovereignty will remain unimpaired, and on the other.... 4

1. Abul Mansur Ahmad, op.cit., pp. 408-9; Ataur Rahman Khan, op.cit., pp. 190-2.
2. The Times observed in 1954 that there was no evidence that Bhashani was a communist, 'but he has either co-operated or has been exploited by them'. 'East Pakistan's dilemma: Irresponsible Local Leadership', Dec. 6, 1954. Also see, M. Rashiduzzaman, 'Awami League in the Political Development of Pakistan', op.cit., p. 578.
3. Richard L. Park and Richard S. Wheeler, 'East Bengal under Governor's Rule', op.cit., p. 130. Therefore, it may be noted here, he enjoyed the obvious advantage in terms of support within the organisation. Sheikh Mujibur Rahman's biographer observes of the Awami League of 1970, '...the Awami League party stretches all the way from right wingers to virtual socialists. The middle of the road headed by Sheikh Mujib spreads wider than ever...' Kazi Ahmed Kamal, Sheikh Mujibur Rahman and Politics in Pakistan (Dacca: Shainpukur Art Press, 1970), p. 38.
4. North Bengal Awami League Workers' Conference, 1955. Address of the President Maulana Abdul Hamid Khan Bhashani. (Translated from original Bengali).

Suhrawardy declared his support for a foreign policy for Pakistan which

avoids the equivocations of neutralism and aligns us squarely on the side of free democracies.... 1

Because of differences of views over U.S. aid, Bhashani had withdrawn his patronage soon after the election from the Ittefaq which was dominated by Suhrawardy and was said to have followed a moderate course.<sup>2</sup> There also arose serious disagreement between Suhrawardy and Bhashani over the country's domestic politics when the former, as the law minister of Pakistan in 1955, supported the Governor-General's move for a Constituent Convention on the basis of parity of representation between the two wings, and the latter strongly opposed the move from abroad. Suhrawardy also met with some resistance from the party which he was able to overcome only after some personal lobbying. It was decided to defer a final decision of the party till Bhashani's return and a delegation was sent to him in Calcutta to obtain his support. Bhashani was eventually persuaded to concede his stand. On his return to Dacca after about a year's absence from the country in April 1955, he presided over the EPAL working-committee which decided to participate in the Convention and accepted the principle of parity as a 'compromise and gesture of good-will towards West Pakistan'.<sup>3</sup> However, the victory thus secured turned into a tactical defeat for Suhrawardy when the Federal Court ruled, on the special reference made by

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1. Huseyn Shaheed Suhrawardy, 'Political Stability and Democracy in Pakistan', Foreign Affairs, vol. XXXV, no. 3, 1957, p. 430.
  2. Dawn, May 11, 1954.
  3. Ibid., Apr. 18-28, 1955.

the Governor-General, that the proper constitution-making body must be styled as the Constituent Assembly - particularly in view of the fact that the UF, the PNC, the EPML and other parties had all opposed the idea of a Convention from the outset.<sup>1</sup>

The ML-UF coalition at the centre which followed the election of the second Constituent Assembly was succeeded in September 1956 by an AL-Republican coalition led by Shaheed Suhrawardy as prime minister. Suhrawardy's stand on foreign policy was criticised by Bhashani who claimed that the prime minister's views were not shared by his party.<sup>2</sup> The party executive in East Pakistan appeared to be divided in their support for the two leaders. The differences within the party were a source of embarrassment to the AL in power in the centre as well as in the province in coalition governments. Sheikh Mujibur Rahman, the general secretary, directed members not to express opinion on foreign policy.<sup>3</sup> The Kagmari council in February 1957, while expressing confidence in both Suhrawardy and Bhashani, failed to conceal the internal disunities.<sup>4</sup> In fact the council session was preceded by some

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1. For opinion of the Federal Court, see ibid., May 11, 1955; Jennings, Constitutional Problems, pp. 348-9.
  2. For example, see his statement as reported in Azad, Nov. 17, 1956.
  3. Sainik, Nov. 23, 1956.
  4. The special session of the EPAL council was held at Kagmari on February 7 and 8, and was followed by a cultural conference sponsored by Bhashani. There was considerable controversy at the time over Bhashani's reported comment in the council session when referring to 'exploitation of the East by West Pakistan', he observed that 'if the grievances of East Pakistan were not redressed, a time might come - say, after ten years, when the people of East Pakistan might feel inclined to say 'assalam-o-alaikum' ' (here used to mean 'bid farewell'). Azad, Feb. 8-16, 1957; Dawn, Feb. 8-14, 1957; Ittefaq, 'Rajnitik Mancha', Feb. 15, 20, 1957.

intense political activity in view of the ensuing elections of office-bearers. The working-committee had temporarily waived the party constitutional provision for separation of offices and had allowed party office-bearers to accept ministerial appointments when the party came to power in the province in September, 1956.<sup>1</sup> Oli Ahad, the party's organising secretary who was known to have been close to Bhashani and of leftist leanings, now emerged as a contender for the office of the general secretary held by Sheikh Mujibur Rahman who was also the commerce, labour and industries minister in the cabinet.<sup>2</sup> However, the election of office-bearers was postponed till the council session to be held in June that year and Sheikh Mujibur Rahman announced his intention to resign shortly from his post in the cabinet.<sup>3</sup>

Suhrawardy and his supporters interpreted the Kagmari proceedings as 'practical support' for the foreign policy of the country. Bhashani remained critical and a section claimed

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1. Article 66 of the East Pakistan Awami League Constitution and Rules debarred office-bearers from accepting the offices of Head of State, governors, ambassadors, ministers, speaker or deputy speaker of legislature, parliamentary and political secretaries, chief whip of the party while in power, and other similar positions. In the event of acceptance of such offices, the members concerned were required to relinquish their party offices within a month.
  2. Sainik, Feb. 1, 1957. The constitution of the AL provided for one general secretary and six departmental secretaries. While the departmental secretaries performed more or less routine matters, the office of the general secretary was of utmost significance and ranked next only to the President. In practice it has been seen that the relative importance of and powers exercised by the President and general secretary was determined in the final run by elements of personal equation.
  3. East Pakistan Awami League Special Council Session, June 13-14, 1957 (Dacca), report presented by the general secretary, (Bengali), p. 18; Dawn, Feb. 9, 11, 1957.

that Bhashani had been empowered to take measures against those who deviated from the declared policy of the party. Suhrawardy in his inaugural address observed that the constitution of the country granted regional autonomy and that the provinces already enjoyed a large measure of it. A resolution, moved under the chairmanship of Bhashani, demanded full regional autonomy on the basis of 21 Points Programme and urged the Awami League coalition government at the centre to take immediate steps in that direction. While this demand for regional autonomy was entirely in line with Awami League policies and demands from the earliest times and Bhashani himself had earlier, when the party was in opposition during the UF coalition government, announced that he would direct his party members in the assembly to table resolutions to that effect, his move now assumed different dimensions as now the Awami League was in power both in the centre and the province.<sup>1</sup>

Bhashani's resignation from presidentship in March brought the AL to a crisis. Attempts were made to persuade him to reconsider his decision. But the working-committee took disciplinary action against Oli Ahad for 'creating divisions within the party' and carrying on propaganda against the general secretary.<sup>2</sup> The pro-Bhashani group retaliated by submitting the resignation of nine members - eight of them

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1. For further discussion, see, pp. 387-89 below. For reports on Kagmari council, see Azad, Feb. 8-16, 1957; Dawn, Feb. 8-14, 1957. Also see, Dawn, Oct. 16, 1955; Ittefaq, 'Rajnaitic Mancha', Feb. 26, 1957.
  2. Instead of following the usual procedure of submitting resignation letters to the working-committee, Bhashani sent his letter through Oli Ahad to the 'leftist press' first. Abul Mansur Ahmad, op.cit., pp. 411-3. Also see, Azad, Mar. 21, 31, Apr. 6, May 22, 29, June 4, 13, 1957; East Pakistan Awami League Special Council Session, June 13-14, 1957 (Dacca), report presented by the general secretary, pp. 16-17.



members of the legislature - from the working-committee. The committee led by Sheikh Mujibur Rahman proceeded to co-opt members in the vacancies.<sup>1</sup> In June, the council, clearly dominated by Suhrawardy's supporters, approved of his foreign policy<sup>2</sup> by an over-overwhelming 850 to 46 majority. The council also unanimously urged Bhashani to reconsider his resignation.<sup>3</sup> It was apparent however that Bhashani wished to sever his connections with the AL. As has been observed by a pro-Suhrawardy member, 'Whatever was the reason, the Maulana had already decided that he would either lead an Awami League without Suhrawardy or form a separate party.'<sup>4</sup> Bhashani was seen engaged in preparations for organising a new political party. In a Democratic Workers' Convention called by him on July 25-26, Bhashani (who on July 24 resigned from primary membership of the EPAL) formed the National Awami Party.<sup>5</sup> Bhashani's critics put stress upon his inability to bear the responsibilities of government and his proclivity towards 'opposition politics'. He was said to have remarked that it was his mission to make people aware of their problems, that he was by nature an 'oppositionist' and wished to be on the side of the people who were generally opposition-minded

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1. Azad, May 22, June 4, 1957.

2. Suhrawardy's foreign policy was also approved by the National Assembly at the end of February. See National Assembly of Pakistan Debates, vol. 1, nos. 13-15.

3. Azad, May 29, June 9, 12-16, 1957.

4. Abul Mansur Ahmad, op.cit., p. 411. The author has maintained that the then President of Pakistan, Iskander Mirza also sought to create rift between the two leaders. See his account, pp. 409-13.

5. Azad, June 16-18, July 17-28, 1957; Sainik, June 20, July 25, 1957.



and anti-government.<sup>1</sup> Perhaps a motivation for the formation of a new party, avowedly 'left' in composition, is also to be sought in the fact that he already led the 'left-wing' of the Awami League. The draft manifesto of the new party spoke of an independent foreign policy, annulment of all military pacts, abolition of zamindari without compensation; it opposed the one-unit plan in West Pakistan and advocated regional autonomy.<sup>2</sup> The NAP aimed to be an all-Pakistan party. It was formed in co-operation with several West Pakistani politicians - Mian Iftikharuddin, G.M. Syed and others, and was, in fact, the result of mergers of the Pakistan National Party of West Pakistan, the Ganatantri Dal of East Pakistan and the seceding section of the EPAL under Bhashani.<sup>3</sup>

For the Awami League, the implications of the formation of the NAP were two-fold. In the organisational field, the EPAL lost the control of several district branches and the

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1. See, Ataur Rahman Khan, op.cit., pp. 191-2. Unfortunately Bhashani has not yet received the attention of researchers that he deserves. Future commentators will no doubt record as his greatest achievements the successful organising of an opposition to the ML at the early stages of independence, and arousing, to some extent, the peasants, workers and labourers, and as his biggest short-coming, his inability to operate from within the government. It would be of some interest to ask if Bhashani at all saw himself as a politician performing within the structures and paraphernalia of parliamentary, or for that matter governmental, institutions, and if he envisioned himself in a larger role, transcending the mere parliamentary arena. Also see, the observations of M. Rashiduzzaman in 'The National Awami Party of Pakistan: Leftist Politics in Crisis', Pacific Affairs, vol. XLIII, no. 3 (Fall, 1970), p. 404.
  2. Azad, July 21, 1957; Wheeler, op.cit., pp. 222-3. M. Rashiduzzaman, 'The National Awami Party of Pakistan: Leftist Politics in Crisis', op.cit., p. 395.
  3. Azad, June 17-18, July 26-27, Sep. 6, 1957.

Dacca city Awami League.<sup>1</sup> In the assembly, the Awami League lost the support of about 25 of its members.<sup>2</sup> Its position in the government was further weakened by the loss of a coalition partner, the Ganatantri Dal. The official Ganatantri Dal merged with the NAP, while a rump body claimed to continue its separate entity in the legislature.<sup>3</sup> The NAP parliamentary party was formed before the autumn session of the assembly in 1957.<sup>4</sup> Thus, a distinct political force emerged in the assembly.

During the last two years of parliamentary government, from September 1956 to October 1958, the Awami League was beset almost incessantly with factional strifes and conflicts. Ironically, these were also the only times when the Awami League was in power in the province. In fact one factional quarrel was said to have basically developed from the Awami League's new role in government - that of determination of relationship between the organisational and governmental wings of the party. The party constitution envisaged complete separation of offices and, while silent on the nature of relationship between the cabinet and the working-committee, it laid down that the parliamentary party was subject to directives and control from the working-committee.<sup>5</sup> Sheikh Mujibur Rahman, the general secretary of the party, proceeded from the premise that the organisation was the supreme body.

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1. M. Rashiduzzaman, 'The Awami League in the Political Development of Pakistan', op.cit., p. 579.
  2. Azad, July 26, 1957.
  3. Ibid., July 15, 23-25, 27, Sep. 2, 6, 1957; EPAP, vol. XVII, no. 1, p. 79; Ataur Rahman Khan, op.cit., p. 222.
  4. Azad, July 31, Sep. 7, 1957.
  5. East Pakistan Awami League Constitution and Rules, see particularly articles 37, 40 and 66.

He was also convinced of the need for party workers to keep watch and, if need be to influence, the district and sub-divisional officers in the implementation of party policies.<sup>1</sup> The Awami League chief minister Ataur Rahman Khan, leading a motley band of parties in the coalition, argued against subjecting the cabinet to the exclusive control of the party. As head of the administration, he wished to keep the executive officers at various levels of government free of pressures from party workers.<sup>2</sup> Their differences can be thus explained in theoretical terms, while in practical manifestations some of the disputes involved were apparently too insignificant to have been pursued by the two politicians to the detriment of their party.<sup>3</sup> The elements of personality and influence were also deeply involved. Ataur Rahman Khan, the older of the two, bore the imprints of his maturer years. Before independence, his involvement in active politics had not been vigorous and his association with the Muslim League had been brief.<sup>4</sup> But he was one of those who had assisted Bhashani in organising the Awami League and served as a vice-president from its inception till 1957 when he resigned in compliance with the constitutional provision of the party. Sheikh Mujibur Rahman,

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1. Abul Mansur Ahmad, op.cit., pp. 460-1. During an interview with the present writer in April 1969, Sheikh Mujibur Rahman also identified the two opposing factions. He maintained his stand on the 'supremacy' of the organisation and pointed out the apparent contradiction when he served in the Ataur Rahman cabinet - as general secretary he was 'in control of the party' while as chief minister Ataur Rahman Khan was his 'boss'.
  2. Abul Mansur Ahmad, op.cit., pp. 460-1; Ataur Rahman Khan, op.cit., pp. 171-2, 264-5.
  3. For example, see, Azad, Apr. 6, 1958; Ataur Rahman Khan op.cit., pp. 159-60, 185.
  4. Ataur Rahman Khan, ibid., p. 30.

zealous and capable of intense feelings, was forceful to a degree.<sup>1</sup> Drawn into politics from his early life, he had his first training in agitation and organisation as a Muslim Leaguer during the last pre-independence decade, which was apparently also the League's greatest, in Bengal at any rate, in organisational development and consolidation. At the time when the Awami League was formally organised, Sheikh Mujib was elected joint secretary in his absence (he was serving sentence as a security prisoner) - a measure of the fame of his organising capacity, and from 1952 onwards, he was the general secretary of the party.<sup>2</sup> Inevitably, his clashes with Aatur Rahman Khan gave rise to organisational disorders and practically led to breakdown at various levels.<sup>3</sup>

The first clash after the NAP was formed took place on the issue of obtaining support and coalescing with a section of the KSP in order to counteract the loss of numbers. Sheikh Mujibur Rahman who was opposed to any coalition with the KSP at the time, was said to have been responsible for the breakdown of talks at the final stages of negotiation.<sup>4</sup> The result was a further weakening of the coalition cabinet which just about tottered through the eight-day autumn session of the assembly.

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1. It has to be admitted here that writing more than a decade after the period, in the background of the political developments of 1969-71, greatest care had to be taken to resist the tendencies to look at those past years through the present and to project characters in their later roles upon an earlier time. It is in this sense, as noted in the preface, that characterisations in the present study are incomplete. (See, p.vi).
  2. Kamal, op.cit., pp. 7-22.
  3. Abul Mansur Ahmad, op.cit., pp. 456-72. Also see M. Rashiduzzaman, 'The Awami League in the Political Development at Pakistan', op.cit., p. 580. Also, for example, see Azad, Jan. 6, 1958.
  4. For discussions of the negotiation process, see Abul Mansur Ahmad, op.cit., pp. 433-8, 467 and Aatur Rahman Khan, op.cit., pp. 223-5.

The chief minister about this time also reportedly requested Suhrawardy to relieve him of his duties.<sup>1</sup> He was, however, soon faced with another apparent showdown with Mujibur Rahman who led the working-committee to demand the resignation of two AL members of the cabinet.<sup>2</sup> The party faced the assembly in March 1958 with the internal differences still not composed.<sup>3</sup> When Aatur Rahman Khan was again commissioned to form the cabinet on April 2, after the acting Governor dismissed the one-day old Sarkar cabinet, there was strong pressure from Sheikh Mujibur Rahman's group to carry out some changes in the personnel. Aatur Rahman Khan argued that as his cabinet had been unfairly dismissed by the Governor two days earlier, it was now a question of reinstatement of his earlier cabinet, and not the formation of a new one. It was reported that Sheikh Mujib tendered his resignation at this time, but withdrew it later when the working-committee invested Suhrawardy with full powers to investigate the complaints against the two ministers whose resignations the committee had demanded earlier.<sup>4</sup> Sheikh Mujibur Rahman returned from his two-months long tour abroad shortly before the assembly was to meet in June. For a while, their differences did not gain prominence, as attention was devoted to the recouping of AL coalition strength in the

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1. Azad, Sep. 20, 1957.

2. Ibid., Nov. 5, 1957.

3. The Azad noted at this time that the working-committee was highly critical of the cabinet, while a large section of the party complained of negligence by the cabinet. The conflicts of personality between Aatur Rahman and Sheikh Mujib were also said to be responsible for the increasing feud within the party. See, news items particularly on Feb. 24, Apr. 6, 1958.

4. Ibid., Apr. 2-6, 1958; Dawn, Apr. 2-7, 1958. Allegations against the ministers included, among other charges, neglect of party interests in the areas they represented.



assembly. The successive demonstrations of loss of support of both the Awami League coalition and KSP coalition governments on the floor of the House within a week in June, was followed by President's rule for a period of two months at the end of which Ataur Rahman Khan was again commissioned to form the government. The list of ministers indicated that the Mujibur Rahman group were able to impose their views this time.<sup>1</sup> It was subsequently revealed that Ataur Rahman Khan was unable to exercise his opinion in the matter and that Suhrawardy himself, on the advice of Sheikh Mujibur Rahman it was alleged, prepared the list of ministers and distributed portfolios.<sup>2</sup> With its leadership thus visibly divided, the party faced the imminent September session of the assembly, and the prospects of general elections in early 1959.

### III. Factional strifes in the KSP.

Unlike the Awami League, the KSP was spared from conflicts at the apex. Fazlul Huq was the undisputed leader of the party. He had no rival but only lieutenants - sub-leaders - whose position as such could be seen as dependent on the one hand on their relationship with Huq and on the other, on a certain factional following within the party. In such role could be seen Syed Azizul Huq, Abu Hossain Sarkar and Yusuf

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1. Dawn, Aug. 24-26, 1958.

2. See, Abul Mansur Ahmad, *op.cit.*, pp. 465-72. The acceptance of offices in the central cabinet in the first week of October, by a group of AL members led by Sheikh Mujibur Rahman, further indicated the lack of unity and discipline at the top level of the party leadership.

Ali Chowdhury.<sup>1</sup> A fourth figure, Hamidul Huq Chowdhury, emerged actively in the field when the PRODA was repealed in September 1954.<sup>2</sup> He was not a direct participant in politics of the provincial legislature. The assembly was elected while he was still under the ban. However, he was known to have played some role in the selection process of candidates for the election.<sup>3</sup> He was elected to the second Constituent Assembly in 1955 and became deputy leader of the UFPF.<sup>4</sup>

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1. Syed Azizul Huq, a nephew of Fazlul Huq, was also a close aide and confidant. He had served as a joint secretary of the KPP before partition. (This is based on S.A. Huq's reply to questionnaire supplied by the present writer). Abu Hossain Sarkar was a member of the 1937 Bengal legislature and had served as a secretary of the KPP assembly party under Fazlul Huq. (Information supplied by Sarkar in reply to questionnaire mentioned above). He was one of Huq's party who unsuccessfully contested Muslim League candidates in 1946. (See, Abdur Rab, *op.cit.*, p. 36). Yusuf Ali Chowdhury's earlier association with KPP and Huq has already been noted. See, pp. 124-5 and p. 190, footnote 6, above.
  2. It also emerged from discussion with Abdus Salam (see, p.192, footnote 3 above) that the four mentioned above could be regarded as factional leaders within the KSP. As to the nature of bond between faction leaders and their followers, Salam observed that 'political interest and selfish reasons' bound them together; it depended on the leaders' 'capacity to attract loyalty on the basis of mutual interest'; 'sometimes it was a question of helping each other and depended on the exigencies of the moment'. S.A. Huq noted that there were three factional groups and put himself and Yusuf Ali Chowdhury in one. He thought that the leaders' 'capacity to offer rewards' also attracted followers. In this sense, it may be pointed out here, the relationship was akin to what Bailey would regard as 'transactional'. (See, F.G. Bailey, *Strategems and Spoils: A Social Anthropology of Politics* (Oxford: Basil Blackwell, 1969) pp.35-40, 45-54). Yusuf Ali Chowdhury however did not agree that there were factions in the KSP, but noted that rifts later developed between Sarkar on the one side and himself and Azizul Huq on the other. (It was the present writer's impression that he was somewhat concerned about the generally pejorative connotation popularly associated with the term).

The three KSP members of the second legislature were interviewed by the present writer in April, 1969.

3. For example, see Azad, Feb. 5-8, 1954. Also see, Dawn, Oct. 22, 1955.
4. Dawn, July 21, 1955.



Fazlul Huq was often accompanied by Syed Azizul Huq and Yusuf Ali Chowdhury on various missions for political negotiations and on occasions, sent them as his deputies as, for example, when power was negotiated at the centre and in the province in December 1954 and March-May 1955. Huq nominated Abu Hossain Sarkar to lead the UF in government when Governor's rule was lifted from the province in June 1955. None of the others, Azizul Huq pointed out,<sup>1</sup> 'grumbled' at Huq's decision.

While Fazlul Huq towered above all in political status and had the capacity to impose decisions, the faction leaders themselves generally lacked the consensus to act unitedly. Hamidul Huq Chowdhury on occasions took stand in central politics without any great regard for the policies of the party in the province wherein lay its sole source of strength.<sup>2</sup> Strong differences developed within the party in 1957 on the issue of coalition with the Awami League. Fazlul Huq, provincial Governor at the time, was favourably inclined towards a coalition.<sup>3</sup> Both S.A. Huq and Yusuf Ali Chowdhury wished to join the Awami League in coalition. Sarkar, leader of the party in the assembly and party president in East Bengal, were opposed to any such move and had an ally in Hamidul Huq Chowdhury, who was now leader of the party at the centre.<sup>4</sup> Discussions for a coalition were conducted by Azizul Huq-Yusuf Ali Chowdhury group on behalf of the KSP. The pro-coalition

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1. To the present writer, in April 1969.

2. For example, see Dawn, July 21, Aug. 22, 1955, Jan. 16, 1956.

3. Abul Mansur Ahmad, op.cit., p. 433; Habibullah, op.cit., p. 153.

4. Sainik, July 25, 1957; Azad, Apr. 7, 16, Aug. 1, 1957.

group elected Azizul Huq as leader of the KSP and were apparently in a majority in the KSP assembly party.<sup>1</sup> Each side, claiming control of the party organisation, took disciplinary actions against the leading figures of the other and elected their own men to offices. Internal disunity became so acute that it was doubted in some quarters if the party would survive for long.<sup>2</sup> Breakdown of talks with the AL in extremely embarrassing circumstances for the pro-coalition group,<sup>3</sup> finally brought the two sides together again. A compromise was reached. Sarkar was accepted as leader of the KSP in the assembly while Azizul Huq became president of the organisation in East Pakistan.<sup>4</sup> Towards the end of the assembly again, there were indications that the party was threatened with internal rifts on the issue of a coalition. On this occasion, Hamidul Huq Chowdhury was favourably inclined for a coalition with the Awami League.<sup>5</sup>

There was little scope for any serious disagreement between the 'wings' of the party in the organisation and the legislature. It has been noted earlier that the KSP had only a very rudimentary organisational structure. All its leading

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1. The Speaker recognised Azizul Huq as leader of the opposition in place of Sarkar. The Assembly Secretariat Act, 1956, defined leader of opposition as leader of the single largest party in the opposition. (See, East Pakistan Code p. 532). For a brief discussion of the disadvantages of the method, see, Pravash Chandra Lahiry, 'Role and Functions of the Opposition and the Leader thereof in Democratic Parliamentary System', The Speaker, p. 32.

2. Azad, Aug. 31, Sep. 1, 11, 16-18, 30, 1957.

3. See, Abdul Mansur Ahmad, op.cit., pp. 433-8.

4. EPAP, vol. XVIII, no. 2, p. 117; Azad, Mar. 20, 1958; Dawn, Sep. 26-28, 1957. Mar. 20, 1958.

5. Azad, Aug. 22, Sep. 5, 1958. Also see, p.297 below.

figures had entered the legislature and the party never had any distinct and vigorous existence apart from these members. However, dissension in the organisational level was obvious. For example, in 1955 it took Huq nearly three months to complete nomination of members of what purported to be the working-committee. At the end, he still felt compelled to appeal publicly to members to compose their differences and announced that the committee was 'absolutely temporary' and 'would be used in the task of formation of branch committees'.<sup>1</sup>

The KSP suffered several group defections in the Assembly.<sup>2</sup> For example, in May 1956, a group of nine members left the party on the ground that Sarkar, the chief minister, refused to accede to their demand for a 'reshuffling of the cabinet and reduction of parliamentary appointments' and decided to take an independent position. Later the dissenters cooperated with the AL and one of the members received a ministerial office when the AL came to power.<sup>3</sup> Four members resigned in September 1957 when the party was practically split in two over the issue of coalition. Because of the internal dissensions, the seceders claimed, it was impossible to 'serve the best interests of our constituencies' any longer by associating with the party. The seceders were said to

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1. Dawn, Aug. 31, Sep. 10, Nov. 3, Dec. 11, 17, 1955.
  2. The KSP strength within the UF in the legislature was claimed at 86 by a party spokesman in 1954. (Ibid., Oct. 20, 1954). On the other hand, it was calculated to be only 48 on the basis of election results. (Abul Mansur Ahmad, op.cit., p. 261. Park put the figures even lower at 34 in 'East Bengal: Pakistan's Troubled Province', op.cit., p. 72). With possible accession of strength after the election, the exact figure appears more likely to be in the region of 70 rather than the somewhat optimistic party estimate. At a later stage, a party member claimed the KSP strength to be 60. (EPAP, vol. XVI, no. 4, p. 53).
  3. Dawn, May 23-24, Aug. 13, 1956; Azad, May 24, Sep. 8, 1956.

have joined the Awami League.<sup>1</sup> Perhaps the last act of defection in the second legislature was performed when a group of about five left the KSP to join the AL at the end of September.<sup>2</sup> It was only about a week later in October 1958 that the assembly was dissolved and the constitution of the country abrogated.

#### IV. 'Minority' politics: factions and splits.

The Scheduled Caste Federation which routed the other factions of the Federation and secured 27 seats in the election, itself soon fragmented in several groups in the legislature. The talks for joining the MUF in a parliamentary party immediately following the election appeared to have broken off at a preliminary stage. However, by January 1956, the party's strength in the assembly was estimated at 21, the drop in membership showing a roughly corresponding increase in the ranks of the UPP, which was the MUF transformed into a parliamentary party.<sup>3</sup> The election of office-bearers for the party in the assembly, before the commencement of the first session in June 1955, showed the party divided in two groups - one led by A.K. Das and the other by Rasaraj Mondal.<sup>4</sup> Further fragmentation within the party became evident when the Mondal group issued directives to Das in the central cabinet and

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1. By S.A. Huq, to the present writer in course of interview in April 1969. The letter of resignation, dated September 27, 1957 and signed by the four members was made available to the present writer by S.A. Huq. Also see, Azad, Oct. 7, 1957.
  2. Ibid., Sep. 29, 1958.
  3. Dawn, Apr. 1-3, 1954, Jan. 12, 1956.
  4. Azad, June 24-25, 1955; Sainik, June 30, 1955.

Madhusudan Sarkar (leader of Mondal group in the assembly) in the provincial cabinet to resign from the governments because of disagreements with the coalition over certain constitutional issues concerning the minority, in the Constituent Assembly. In this, Mondal sought to persuade the SCF to follow the examples of the PNC and the UPP. However, Das plainly refused to comply with the directive (for which he was 'expelled' from the party), while Sarkar appeared not too eager to relinquish his position. In fact the UF was able to recruit another member of the SCF to the provincial cabinet in July 1956.<sup>1</sup> One group of the SCF at this time supported the AL in opposition.<sup>2</sup>

With the change of government at both centre and the province in September 1956, Mondal joined the AL coalition at the centre. G.C. Bala, who had defeated Barori in the election of 1954, was elected 'party leader' in the assembly and a resolution passed to the effect that the party leader would not accept any ministerial office.<sup>3</sup> However, before long Bala joined the provincial AL coalition cabinet.<sup>4</sup> In October 1957, the AL coalition at the centre went out of office. The budget session of the provincial assembly in 1958 found Bala and Mondal in two opposing groups.<sup>5</sup> Thus the party virtually

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1. Dawn, Jan. 12, Feb. 20-21, 28-29, Mar. 1, 12, 19, May 2-3, 23, July 11, 1956; Azad, Jan. 14, Mar. 20, Apr. 23, 1956.

2. Dawn, May 26, Aug. 17, 1956.

3. Azad, Sep. 8, 1956. A.K. Das, Rasaraj Mondal and G.C. Bala were also members of the second Constituent Assembly. See, Alphabetical List of Members of East Bengal Legislative Assembly, Aug. 1955.

4. Dawn, Jan. 15, 1957. An independent Scheduled Caste parliamentary party was reported to have been formed at the end of March 1957, with Scheduled Caste members from different groups, under the leadership of A.K. Das and Madhusudan Sarkar. Ibid., Mar. 29, 1957.

5. EPAP, vol. XX, pp. 153-77, 213, 275-77; Dawn, Mar. 22-23, 1958.



lost all cohesiveness and disintegrated into small fragments.<sup>1</sup>

Organisationally, this also appears to have been a period of inactivity, perhaps mainly attributable to the Federation leaders' pre-occupations with politics inside the legislature. Those who emerged as group leaders were almost all members of the working-committee; Mondal was the general secretary. Their fragmented strength in the legislature and apprehensions about their respective positions in the legislature and the organisations apparently contributed to the virtual disuse of the organisational machinery. The Federation had entered the legislature on the demand for joint electorate with reservation of seats for the scheduled castes for a limited period.<sup>2</sup> Later developments in coalition politics, which was the feature of the second legislature, showed that some deviated from the original platform.<sup>3</sup>

The United Progressive Party was formed as a parliamentary party for the combined MUF and a small contingent from the Federation, in April 1954. The party strength was claimed at the time to be 12, and later put at 13.<sup>4</sup> The division of the party into two factional groups followed the familiar pattern of the SCP. The UPP reportedly decided to

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1. Mondal sought to maintain in the course of an interview with the present writer in April 1969, that there were no factions in the party but only individual cases of desertions without the strength of any following. But the fact that others from the party, who were evidently opposed to him, were also able to obtain and retain ministerial appointments indicates the existence of several factional groups.

2. M. Mahfuzul Haq, Electoral Problems in Pakistan (Dacca: Asiatic Society of Pakistan, 1966), p. 80.

3. BPAP, vol. XX, pp. 160-77.

4. Dawn, Apr. 8, 1954, Jan. 10, 1956.

withdraw support from the centre and the province in January-February 1956, in protest against certain provisions of the draft constitution. The party were also evidently dissatisfied because it was not consulted in the appointments of whips for the government coalition party of which it was a member in the East Bengal assembly.<sup>1</sup> It directed K.K. Dutta, the only UPP member holding ministerial office, to resign from the central cabinet. Dutta refused to resign maintaining that he owed allegiance to the MUF and did not consider himself bound by any mandate from the UPP. He maintained that while he himself disagreed with the constitutional provisions in question, he would abide by the decision of the House and that his resignation on the issue would 'spell disaster for the minority community and the state'. The party continued to debate the issue and vacillated between cooperation with all minority parties in opposing the UF and acceptance of fresh approaches from the UF to join the provincial cabinet.<sup>2</sup> Eventually, the party split in two - one led by the party leader D.N. Datta and the other by the deputy leader, P.C. Lahiry. The D.N. Datta group accused the latter of being supporters of K.K. Dutta.<sup>3</sup> In July, Lahiry joined the UF cabinet in the province. D.N. Datta group collaborated with the opposition parties.<sup>4</sup> The roles

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1. Ibid., Dec. 8, 1955, Jan. 10-11, 1956.

2. Ibid., Jan. 16, Feb. 2, Mar. 9-12, 31, Apr. 30, May 3, 7, 21-26, 1956.

3. Azad, June 26, 1956. It may be recalled here that K.K. Dutta, D.N. Datta and P.C. Lahiry had all opposed the continuation of the Congress in Pakistan and had organised the Gana samiti soon after independence. K.K. Dutta had also been a member of the first Constituent Assembly, while both D.N. Datta and P.C. Lahiry had belonged to the first assembly in East Bengal.

4. Dawn, July 20-21, Aug. 13-14, 1956.



were reversed when the AL came to form government in September 1956. Datta became a minister while the Lahiry group moved to the opposition.<sup>1</sup>

The UPP was a purely parliamentary party. There was no corresponding party organisation outside the legislature. The MUF which contested the election of 1954 was itself an electoral alliance of the Gana Samiti, the Abhoy Ashram and the Socialist Party. The first two were practically localised almost exclusively in Comilla and partly in Dacca and all three had very feeble organisational existence.

As with the SCF and the UPP, the withdrawal of the PNC (strength in the assembly estimated variously between 24 to 29) from the UF coalition was accompanied by some differences within the party, though to a lesser extent. Both B.K.Das and S.C.Majumdar resigned from the cabinet in March 1956 under directive of the party, protesting against some features of the draft constitution and the chief minister's failure to comply with a 7-point ultimatum incorporating the party's demands.<sup>2</sup> Later in August-September, the PNC supported the AL to power. But the party divided on the question of representation in the Awami League coalition cabinet, one group advocating the claim of B.K.Das, leader of the party in the assembly and vice-president of the organisation, and the other supporting Monoranjan Dhar, secretary of the assembly party

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1. Azad, Sep. 19, 1956; EPAP, vol. XV, no.1, pp.55,66,259; vol.XV, no.2, pp.94-5, 116-7; vol.XVIII, no.3, pp.136-40; vol.XVIII, no.5, p.167. The Lahiry group later dissociated itself from the UF because of disagreement over the electorate issue and functioned as an 'independent opposition bloc'. Dawn, Oct. 3, 1956.

2. Azad, Jan.10, Feb.3,8, Mar. 12,1956; Dawn, Jan. 7,10,14-15, Feb. 6-10, Mar. 10-13, 1956.

and the organisation. Das, a senior member of the Congress with long parliamentary experience, was said to have held over the party in the assembly, while he lacked control over the organisation - before independence his field of activity had been the Assam Congress. The Dhar-group had better control over the organisation except in Sylhet which was the district of B.K.Das and the Khadi group of the Congress centred in Dacca. Supporters of Dhar argued that the PNC should be represented in the cabinet by younger men and that Das had already associated himself with the previous UF government. However, the argument apparently was used against Das alone, for his erstwhile colleague in the UF cabinet, S.C.Majumdar was 'nominated' by the party along with Dhar to join the cabinet. It was decided that Das was to eventually represent the party in a coalition at the centre.<sup>1</sup> Das, however, resigned from the leadership of the party in the assembly in April 1957, due to 'weighty reasons'. It may be surmised these were not unrelated to the factionalism developing within the PNC. The party accepted his resignation the following April.<sup>2</sup> The Congress ministers in the coalition cabinet were also faced with dissensions in the party at this time over the government's policy to continue the use of army in stopping smuggling across the border.<sup>3</sup> At the commencement of the session in June, the strength of the Das group in the assembly party was estimated

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1. The above is based on interviews of the present writer with Monoranjan Dhar and Bhabesh Chandra Nandy in April 1969.

2. Dawn, Apr.8, 1957, Sep.23, 1957, Apr.8-9, 1958.

3. Ataur Rahman Khan, op.cit., p. 261-2; EPAP, vol.XVIII, no.2, pp. 27-52.

at 13. The group (initially 10 members, later increased by 3) dissociated itself during the session from the AL coalition of which the PNC was a member and joined the opposition.<sup>1</sup> From June to September, the Dhar and the Das groups of the Congress were seen aligned in the two opposing camps in the assembly. A further split occurred when a member of the Das-Moitra group, R.N.Sarkar, joined the AL coalition cabinet during the September session in 1958. He was said to have carried the support of five members from the dissident group. It was indicated that Sarkar's group would maintain a separate identity from that of the Dhar group in the AL coalition.<sup>2</sup>

The splintering of the 'minority' parties was acute, but perhaps not surprising, in view of the fact that they were now for the first time full participants in the political process. Partly, the fairly evenly balanced strength of the parties/coalition of parties representing the Muslim seats, lent impetus to factional quarrels within the parties and, where factional groups already existed, for these to diverge further on the issue of support. Also, members largely operated without the regulating influence of any party apparatus; for example, in case of the SCF and the UFP, the organisation was either extremely feeble or virtually non-existent. The PNC, on the other hand, possessed a relatively adequate machinery to arrive at decisions and resolve conflicts, and it is only towards the end of the second assembly that the signs of internal stresses became manifest.

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1. Dawn, June 13, 16-17, 20-24, 1958. Also see, EPAP, vol.XX, p. 292.

2. Dawn, June 17, Sep. 23, 1958; Statesman, Sep. 23, 1958. In another development, Suresh Chandra Das Gupta, the President of the PNC, who had aligned himself with Dhar group, resigned from the presidency in September. His move appeared to have been connected with the decision of the Executive Council of the PNC to expel members of the dissident group from primary membership of the party. See, Dawn, Sep.25-Oct.4,1958.

By 1957 there were as many as 17 parties and groups in the legislature<sup>1</sup> as a result of factional quarrels and fragmentations. Commenting on the political scene of 1955, it was observed that the factional quarrels were largely devoid of political principles.<sup>2</sup> Factional quarrels accompanied by some cogent and fundamental differences of views led to the split of the AL and the formation of the NAP. Most of the desertions - and alliances - were relatively devoid of what may be described as issues or policies - and when such were put forward, were pretty thin in substance. As an example one might cite the reasons put forward by the four resigning KSP members in 1957.<sup>3</sup> Another example, by virtue of its political significance and the numbers involved, the more important, is the agreement which was to form the basis of cooperation between the AL and the section of the KSP led by Azizul Haq. This document which would have effected a formal split in the KSP, spoke grandly of the 'greater good of Pakistan':

The Krishak Sramik Party has taken this momentous decision purely with a desire to fight against the subversive elements in all their dug-outs, and in order to safeguard the basic ideology of Pakistan, and with a view to lend its full assistance and co-operation

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1. EPAP, vol.XVII, no.1, p.123; vol.XVIII, no.3, p.38; vol.XVIII, no.5, p. 22. A statement of party-wise strength of members in the assembly, subsequently prepared by the assembly secretariat, included the following: (1) ML (2) AL (3) Dissident AL (4) NAP (5) KSP (6) Ganatantri Dal (7) NIP (8) PNC (9) PNC led by K.N. Moitra (10) UPP led by D.N. Dutta (11) UPP led by P.C. Lahiry (12) SCF (13) SCF led by G.C.Bala (14) SCF led by M. Sarkar (15) Khilafat-i-Rabbani and (16) Imarat party - the last two having one member each. For the statement, see Appendix V.

2. Neil McInnes, 'A New Chapter Opens in East Pakistan', New Commonwealth, Nov. 14, 1955, pp. 467-8.

3. See, pp.265-6 above.

to save the people from starvation and ruin. The Party feels that it is essential in the interest of Pakistan that it should strengthen the hands of Mr. H.S. Suhrawardy in his efforts to raise the stature of Pakistan in the international world, and to secure to the people of Kashmir the right of self-determination under the auspices of the United Nations, and to fight the subversive elements and those fissiparous tendencies which are attempting to undermine the stability and integrity of Pakistan and propagating sentiments of hatred and suspicion between East and West Pakistan. It is hoped that it will be appreciated that the Party has taken this patriotic decision with the sole object of saving the country and serving the people at this most crucial moment.<sup>1</sup>

Of Pakistan politics in the post-1954 period, which indeed has great relevance for East Pakistan politics in particular, a western political observer wrote;

(the League's) opponents, a motley combine calling itself the United Front ... fell to pieces soon after (the election). And henceforth an element of sheer unreality, almost of farce invades the Pakistani political stage. Parties and principles alike fade, then vanish. Only a confused turmoil of rival struggling personalities remains. Through the dust of conflict, little is discernible beyond ineffective clutchings, on the one side, for private profit and place, and on the other, for the public weal and national survival .... 2

## 2. 'Floating' members and 'defectors' market'.

To say only that the legislature came to consist of 17 parties and groups would be to present an incomplete view of the fragmented composition of the assembly. There was a substantial number of 'floating' members - members who had shifting party allegiance and who regarded themselves not bound by any party affiliation at all and therefore inclined to

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1. The above is the concluding paragraph of the proposed agreement. The present writer is indebted to S.A. Huq for his kind permission to consult the original.

2. Ian Stephens, Pakistan, p.242.

determine their relationship with parties on the basis of individual (or group) judgment. The following are two brief excerpts from the Asir Commission Report on this feature of the Assembly particularly with reference to the unstable political situation in April-September, 1958.

It is common case that there were some members who were regarded as floating members as nobody was certain as to whom they might individually or otherwise support.

From the evidence of Mr. Mahmud Ali (W.36), it appears that ... the floating members who were more or less opportunists in character were between 40 and 50 in number. 1

Almost all members had been elected to the assembly in 1954 under party labels, the independents mostly affiliating themselves with the UF soon after election. The 'floating' members therefore consisted of those who subsequently disowned these party labels. Which parties then suffered the worst casualties? An answer to this question will partly explain the phenomenon itself. To take parties representing Muslim seats only, for example, there were virtually no desertions from the NIP and the ML. Belief in the philosophy of the NI party, a philosophy that was not offered by any other, held the members together. Similarly, the Muslim League's steadfast support of separate electorate gave it an exclusiveness and helped to preserve solidarity. Besides, of the two leading opposing parties, the ML was more likely to support the KSP en bloc

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1. 'Report of the Enquiry into the Incidents that took place on 20th and 23rd September, 1958, in the Chamber and premises of East Pakistan Assembly' by Justice M. Asir of the East Pakistan High Court, Dacca Gazette Extraordinary, May 9, 1959, pp. 608, 613. Witness 36 was Mahmud Ali of Ganatantri Dal and later NAP.



rather than fragment on the issue.<sup>1</sup> KSP 'membership', it may be noted, crumbled from 79 in June 1955 to 49 in September 1958.<sup>2</sup> The AL lost members in two solid blocs - the Salam-Hashem group (which eventually practically disintegrated with some assuming the role of 'floating' members) and the NAP (which appeared relatively strong in party discipline), and also suffered several small scale desertions. The AL was said to have a 'hard-core' membership of 93.<sup>3</sup>

The bulk of the 'floating' members came from these two parties and from the SCF of the 'minority' parties in particular. The crucial factor was, of course, the nature of party composition which obtained in the Assembly from 1955 onwards. In August 1956, with government and opposition parties marshalling their strength and canvassing for support in view of the ensuing assembly session, chief minister Sarkar, claiming a majority, indicated that 'a few others who were openly with the opposition were secretly with him and could be depended upon in the event of a trial of strength'.<sup>4</sup> In a similar situation

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1. Some explanations may be offered. The Muslim League was in oppositional relationship with the AL since 1949. During the period of second legislature at national level, the ML was willing to co-operate with the KSP, e.g. coalition governments of ML-UF under Chaudhri Mohammad Ali in 1955 and ML-KSP under I.I. Chundrigar in 1957. In June 1958, the EPMLPP accepted Sarkar as leader of a coalition party and pledged to support his government in case he was commissioned. (The signed declaration of Paniruddin Ahmed, leader of EPMLPP, was made available to the present writer by S.A. Huq). Sarkar hinted in the assembly at this time that the AL was unsuccessful in its attempts to obtain the support of the Muslim League (EPAP, vol. XX, p. 341).
  2. The above figures have been obtained from records of the assembly secretariat. See, p. 273 fn. 1 above.
  3. By Abul Mansur Ahmad, to the present writer in course of interview in 1969. This figure is substantiated by records in the assembly secretariat (see, p. 273 f.n. 1 above) which put the lowest AL strength during sessions at 94 in June, 1955.
  4. Dawn, Aug. 13, 1956.

in June 1958, when upon the defeat of the AL coalition cabinet on the floor by a narrow margin Suhrawardy reportedly sought to press the prime minister not to have Sarkar commissioned immediately, it was observed that the AL coalition party thereby hoped to keep the 'wavering' members within its folds - 'for, these members tend to side with the party which they think is going to remain in office, or come to office'.<sup>1</sup>

All cases of defections did not necessarily result in 'floating' members, as for instance when defecting members or groups aligned themselves fairly stably with other groups or parties, or if they assumed a distinct or independent entity and remained so for a reasonably long duration.<sup>2</sup> A defector has been defined (elsewhere, in the context of another political system) thus,

An elected member of a legislature who had been allotted the reserved symbol of any political party can be said to have defected, if, after being elected as a member ... he voluntarily renounces allegiance to, or association with such political party, provided his action is not in consequence of a decision of the party concerned.<sup>3</sup>

While defectors and 'floating' members were generally held in low esteem in the East Pakistan assembly,<sup>4</sup> their support

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1. Ibid., June 22, 1958.
  2. It has not been possible to compile exhaustive lists of defectors and 'floating' members through their successive alliances. The Assembly secretariat did not have complete record in this regard as mostly members failed to notify the secretariat of changes in their party affiliations.
  3. The above definition is from the Report of the Committee on Defections set up under a resolution of the Indian Lok Sabha in 1968. For recommendations (which also contained the above definition) of the Committee see, Subhash C. Kashyap, The Politics of Defection: A Study of State Politics in India (Delhi: National Publishing House, under auspices of the Institute of Constitutional and Parliamentary Studies, New Delhi, 1969), appendix, 19.
  4. For some harsh comments on defectors, see for example, EPAP, vol. XV, no.2, p. 186; vol. XVIII, no.3, pp.35-6.

nevertheless was sought after, vigorously - when the balance of forces in the legislature showed some sign of restlessness or possibilities of re-alignments. Contacts between would-be defectors and receiving parties could be established in various ways. The usual pattern was that party leaders, whips and other 'important figures', generally aware of the weak spots or 'disgruntled elements' in the ranks of other parties, advanced suitable feelers in case of need. Individuals or groups intending to defect from, or willing to support, a party also made known their availability through their own channels. A favourable response from interested quarters brought the two sides together.<sup>1</sup>

In the political composition of the second legislature which produced conditions for 'defectors' market',<sup>2</sup> the defectors and floating members had a very valuable commodity to offer: their support. This was usually given to interested parties for reasons considered worthwhile. While this particular aspect has remained a sensitive area even for academic investigations, some idea may be had from Ataur Rahman Khan's reminiscences of his two years as chief minister. He recorded the reverse process - that is, reasons for which individuals and groups of members of his party (at both legislative and organisational levels) threatened to sever links with the party and withdraw support. These included various mundane matters in the

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1. The above is based on interviews with Mrs. Badrunnessa Begum (a lady member of AL), M. Korban Ali (AL whip), Mahmud Ali (Ganatantri Dal, subsequently NAP), Hashemuddin Ahmed (dissident AL), Rasaraj Mondal (SCF), Sheikh Mujibur Rahman (AL) and Syed Azizul Huq (KSP). Both Rasaraj Mondal and Sheikh Mujibur Rahman spoke of 'political workers' of the various parties, who kept busy during assembly sessions, part of their informal duty being to 'watch' the moves of their party members, particularly of those considered vulnerable.
  2. The expression "defectors' market" is from W.H. Morris-Jones, 'From Monopoly to Competition in India's Politics', Asian Review, vol. I, no. 1 (Nov. 1967), pp. 1-12. See particularly p. 9.

nature of personal favours, some constituency benefits, transfer of officials (particularly sub-divisional and district administrative officers), and even some highly subjective reasons such as lack of adequate courtesy shown by the chief minister, loss of prestige, etc.<sup>1</sup> Also, it has already been noted above in passing in our discussion of fragmenting process of parties, and will be brought out more fully in a subsequent section, that leaders or members of defecting groups actually received ministerial or parliamentary appointments in their new alignments. The result of some (few and highly selective) interviews conducted by the present writer may also be recorded here.<sup>2</sup> The interviews revealed that there was lack of unanimity as to the nature of demands put forward by defectors and also demonstrated some varying degrees of emphasis, but the following were some of the observations made as to what caused members /groups of members to defect from one party or group and support another : 'support to the highest bidder, but also many instances of movement purely on grounds of party politics without any allurements'; 'I cannot remember offers and demands being made in the process of negotiation itself, but perhaps the would-be defectors had hopes of rewards'; 'cabinet posts, parliamentary appointments, permits, licenses, in short-allurements, but the number of those who were induced in this way was very small'; 'personal likes, dislikes, impossible demands, personal favours formed grounds for defections'; 'some sort of allurements of office or otherwise'; 'temptations - constituency works,

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1. Op.cit., pp. 172-204.

2. Also, those interviewed were not supplied with any prepared list of possible demands and the response was entirely left with them. For the names of members interviewed, see, footnote 1 p. 278.

cabinet posts'; 'transfer of district administrative officials', etc.<sup>1</sup> It was noted<sup>2</sup> that the demands usually were 'more exacting when the government was not in comfortable majority'. Also relevant of course, was the size of the defecting group. It was written of the not very dissimilar situation in Indian State politics after the 1967 elections,

With the strength of the Congress and of the combined groups of opposition parties somewhat evenly balanced in several States, every single legislator became what may be called a "marginal legislator" and had enough inducement to become a "fence-sitter" or to play the game of "brinkmanship" and not unoften to quote his own price to cross the floor and stage repeated marches and counter-marches each time in the direction of the highest bidder. 3

A Pakistani writer commenting on the phenomenon of defection politics which pervaded both provincial and national levels, observed,

...'crossing the floor' became the bane of our political life .... There was perhaps nothing inherently wrong with choosing a new party but it was done so often and with such dramatic suddenness that it thoroughly corrupted and disgraced our political life. In the absence of sufficient provocation to change party affiliations, the practice was wrong and immoral. Secondly, it was an affront to the electorate who chose a particular candidate on a party ticket. Thirdly, it inevitably led to corruption and subjected the whole body-politic to influences and pressures that took the wind out of the torn sails of democracy. Fourthly, the shifting scene of party loyalties and alignments made it impossibly difficult for any stable government to function. Lastly, it retarded the growth of political parties on genuine democratic lines. 4

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1. The approach of most of those interviewed appeared somewhat guarded and there was some understandable reticence and reservation in discussing the matter. Not all agreed with the expression 'defectors' market' used by the present writer in course of the interviews. It would appear from the above however that the elements of exchange and consideration were acknowledged by all.
  2. By Sheikh Mujibur Rahman.
  3. Kashyap, op.cit., p. 32.
  4. Aziz Beg, Before and After Revolution, (Rawalpindi: Pakistan Patriotic Publications, (1962) ), pp. 180-1.

Subhash C. Kashyap on the other hand, writing of the Indian problem, refrains from any moral value judgment. He seeks explanations in what he described as 'historical, institutional and motivational factors and sociological realities' and maintains that it was a phenomenon in a transitional phase in the parliamentary democratic processes of Indian politics.<sup>1</sup>

The explanations would also seem to be similar in case of members of the East Pakistan assembly. A more or less evenly balanced party composition introduced an inducement which was not there in the first assembly in condition of Muslim League dominance - namely, members' support became measurable in terms of formation and stability of governments. The wide gulf of difference between the salary and positions of ministers and members<sup>2</sup> would appear to be added temptations, now easily attainable because of the nature of political composition of the assembly. Defections as in the second assembly was not a novel feature in the legislative politics of Bengal. To some extent it was a feature of the Bengal legislature of 1937 (the constitutional arrangement at the time having made the first effective play of party politics possible), restrained no doubt by the currents of national politics and independence movement of the time. Growth of legislative institutions which finally developed in stages towards a representative and responsible government, was not accompanied by the concomitant feature of party government. Hence, when the final stage of full representation and responsibility was reached, principles of, and experiences in, party government had not yet attained full maturity. The failure of the independence party to create conditions for that maturity

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1. Op.cit., pp. 27-46, 379-83.

2. See, pp. 418-20 below.



was partly responsible for the political processes of later times. It appears defections in the scale as witnessed in the second assembly is likely to diminish when defections and weak party loyalties also largely disappear from party politics outside the legislature. Defection politics as a feature is likely to be dependent upon the extent of the growth and development of party organisations, regular elections as part of a continuous political process and the effectiveness of the expediency of defection politics in terms of benefits to the members and their voters.

### 3. Coalition politics : elements of bargaining and negotiation in the formation and sustenance of ministries.

When after the 1954 election Fazlul Huq formed a four-man cabinet representing only the KSP and the NIP the AL working-committee directed party members in the legislature 'not to negotiate individually or in groups'. It authorised Bhashani and Suhrawardy to give 'necessary directive to the Awami League MLAs vis-a-vis their attitude towards the Fazlul Huq cabinet' and asked members to abide by their decisions.<sup>1</sup> The party forestalled the possibilities of individual or group negotiations at that stage and the adverse consequences upon party discipline and strength. Negotiations which continued through April mainly between Suhrawardy on behalf of the Awami League and Fazlul Huq were virtually deadlocked because of lack of agreement on the quota of party representations in the cabinet and over personnel. Besides, Fazlul Huq appeared not in any

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1. Dawn, Apr. 7, 1954; Azad, Apr. 6, 1954.

hurry to reach a quick settlement. When Suhrawardy accused Huq and the provincial Governor of delays, Huq put the blame on Suhrawardy who had been making 'incessant endeavours to his party securing a large slice of the ministry'. Huq doubted if he would be able to 'announce an ideal ministry, not because such a ministry is impossible on merits, but because ministers have to be chosen on questions other than mere fitness for positions in the cabinet'.<sup>1</sup> It was observed at this time that the various constituent parties were still 'haggling' for greater representation in the cabinet.<sup>2</sup> Enlargement of the cabinet at last in May to a total of 14 ministers included 7 from the KSP, 5 from the AL and 2 from the NI party. The numerical strength of the AL in the Front was not adequately reflected in the cabinet. It demonstrated the political and bargaining strength of the KSP from its position in the government and the favoured status of the NIP. The Dal failed to secure any representation at all.<sup>3</sup> Six more members, including non-Muslims, were expected to be added at a later stage.<sup>4</sup> While parties representing non-Muslim members did not belong to the UF, there was the common bond of opposition to the Muslim League rule. The parties were inclined to co-operate with the UF government.<sup>5</sup> But the cabinet was terminated at the end of May when Governor's rule under section 92A was imposed on the province.<sup>6</sup>

By the time the Governor's rule was lifted, some major political realignments had taken place. While previously

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1. Dawn, Apr. 23, 1954.

2. Ibid., Apr. 24, 1954.

3. Ibid., Apr. 5, 8, 17, 1954.

4. Ibid., May 14, 1954.

5. Ibid., Apr. 7, 23, 1954.

6. For a Chart showing ministerial changes, see p. 302.

had the Assembly met in a session, the opposition benches were likely to be occupied by the solitary Muslim League members possibly along with one or two 'minority' groups or parties, now the AL moved over to the opposition. The Muslim League, not exactly in the forefront, was more likely to remain neutral, if not co-operate, with the UF which was backed to power by the Muslim League prime minister at the centre. Movements of individuals and small groups of members were already taking place in both directions. The UF appeared to have at best a slender majority in the House and needed support from the 'minority' parties in a coalition government. But the difficulties of forming a cabinet which satisfied the claims of every group and party in the coalition at once became evident. Sarkar announced a five-man cabinet (2 from the KSP, 2 from dissident AL and 1 from NLP) on June 6 and hinted immediate expansion and inclusion of non-Muslim members.<sup>1</sup> However, it was not before September that Sarkar was able to expand his cabinet, the intervening period marked by negotiations and 'wranglings'. It was reported that 'the delay has been caused by the insistence of minority community and groups of MLAs on greater representation in the expanded cabinet .... the inclusion of seven more ministers will fail to satisfy many MLAs ....<sup>2</sup> The claims indeed were so many that Fazlul Huq, who was still the effective leader of the UF and who in fact exercised considerable influence in the ministry-making process, sought to absolve himself of any responsibility of having caused some inevitable frustrations. As Sarkar proceeded to

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1. Ibid., June 7, 1955.

2. Ibid., Aug. 26, 1955.

announce his enlarged cabinet of fifteen, Huq issued a press statement in his characteristic fashion,

I wanted a much more expanded cabinet in East Pakistan than what is proposed by the Chief Minister. I, therefore, wish to point out that although the list which the Chief Minister has made out has my approval, I maintain that some useful personages have been left out. I, therefore, wish to make it clear that although the inclusions have my approval, I am not responsible for the exclusions. 1

The Dal again failed to secure any seat in the cabinet inspite of several meaningful moves.<sup>2</sup> By December 1955, Sarkar announced 27 parliamentary appointments.<sup>3</sup> Still, it became increasingly difficult for Sarkar to hold together the heterogeneous groups and parties. The process of collapse of his government set in from the end of 1955 as Ganatantri Dal, the 'minority' parties and other groups proceeded to withdraw their support from the UF cabinet on various grounds. Sarkar's uninspired leadership was also partly responsible. He lacked sufficient political skills to strike quick bargains and to hold the component parties together on the basis of such 'transactional' arrangements involving both political and other rewards and an agreed political programme. It was written of him in 1955,

... an undistinguished and unimpressive man who nevertheless has the two qualifications for political office in this subcontinent: he was jailed at 17 by the British for subversive activity, and he is a lawyer. He had some legislative experience in undivided Bengal and, briefly, in last year's United Front ministry, but most of his career has been that of a small town pleader .... he is modest enough to admit that he knows comparatively little of his province, and that he has only vague ideas about its economic affairs. 4

1. For the statement in full, see *ibid.*, Sep. 6, 1955.

2. For example, see, *ibid.*, June 21, July 26, 1955. The fifteen seats in the cabinet were distributed thus: KSP-6; dissident AL-4; NI-2; PNC-2; SCF-1.

3. Six political secretaries, 17 parliamentary secretaries and four whips. *Ibid.*, Dec. 21, 1955.

4. Neil McInnes, 'A New Chapter Opens in East Pakistan', *op.cit.*, pp. 467-8.

Huq's nomination of Sarkar to lead the UF may be explained in fairly simple terms. For obvious reasons, his choice was limited to those who have been described as 'sub-leaders' within his party. Azizul Huq lacked political experience - in fact, his inclusion by Huq in the first UF cabinet of April 1954 had given rise to some criticism. Hamidul Huq Chowdhury, with a powerful position in the press-media and some personal associations in the party, and Yusuf Ali Chowdhury, with closer attachment with the party, were fairly strong and energetic personalities but were not likely to command the support of rank and file of the party.<sup>1</sup> Besides, both were capable, if they wished, of scuttling their leader's ship. Senior most among his colleagues, Sarkar's participation in politics dated back to the days of non-cooperation movement. While he lacked the qualities to instil inspiration, he was similarly not likely to provoke any strong opposition from any quarter in the UF. Besides, in contrast to his colleagues in the party, he was incapable of scuttling his leader's ship, even if he wished to do so. He was, in many ways, the perfect nominee for Huq.<sup>2</sup>

Sarkar called the Assembly into session only once in 1955 after he formed the government. The session which lasted only a day - August 5 - was called for the election of Speaker and deputy-speaker of the assembly.<sup>3</sup> At the end of March 1956, the Sarkar ministry avoided the scheduled budget session by having the provincial expenditure for two months, up to May 31,

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1. The latter could argue with justification that he never aspired for public offices. In the true fashion of a typical 'organisation man', he has been occasionally referred to as 'king-maker' or 'ministry-maker'.

2. In January 1955, Sarkar had joined the central cabinet led by Mohammad Ali, as a 'nominee' of Huq. See, Dawn, Jan. 5, 1955.

3. EBLAP, vol. XII.



authorised by the Governor. Clearly, Sarkar's aversion to the legislature was due to apprehension that his precariously balanced coalition cabinet would disintegrate when exposed to prospects of re-alignment. The strength of the opposition continued to increase - the PNC formally withdrew from the cabinet by the second week of March - and the opposition parties discussed the possibilities of putting up a united front to the government. Sarkar, the credibility of his leadership considerably lowered by the continuing secessions from the coalition, imminent prospects of acute food shortage and his apparent failure to conform to parliamentary principles, continued his frantic search for new coalition partners to augment his greatly depleted strength.<sup>1</sup> In the first week of May Sarkar claimed that he commanded a majority in the legislature with the KSP, NLP, SCF and two dissident groups from the AL. It was hinted about the same time that support was being sought from a UPP group and a seceding AL group with offers of ministership.<sup>2</sup> But the Speaker's refusal, on point of order, to allow the finance minister to present the budget when the assembly finally met on May 22, led the UF cabinet to another crisis of confidence.<sup>3</sup>

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1. For example, see Dawn, Mar. 30-31, Apr. 16, 1956.

2. Ibid., May 3, 15, 20, 1956.

3. The points of order were raised by Sheikh Mujibur Rahman and consisted of three points - briefly, that on certain legal grounds the ministry was functus officio, that the government did not take earlier opportunities to present the budget and by allowing an extremely limited time in which the budget was to be passed nullified the objective of section 81A under which the budget was certified by the Governor in March (this was supplemented by another point of order raised by Mirza Gholam Hafez), and that the presentation of the budget did not conform to certain procedural rules. The discussion which ensued took up a good part of the seven-hour long sitting, occasionally amid 'noise' and 'great noise' etc. In his ruling the Speaker observed that the point was 'whether the legislature was being by-passed, and was thus reduced to a farce' and maintained that he was not prepared to guillotine what he estimated to be 80 per cent of the demands for grants for shortage of time. After the Speaker's ruling, the assembly was first adjourned sine die and then prorogued. Section 193 of the constitution was imposed, the provincial budget certified up to August and the Sarkar cabinet reinstated on June 1. See, EPAP, vol. XIII; Dawn, May 23-27, June 2, 1956; Azad, May 23-27, June 2, 1956; G.W. Choudhury, 'The Constitution of Pakistan', Pacific Affairs, vol. xxix, no. 3 (September, 1956), pp. 251-2.



The strength of the UF dropped considerably through further defections and apparently remained short of a majority inspite of the addition of three ministers.<sup>1</sup> The assembly scheduled for session from August 13 was prorogued only hours before it was due to meet. Sarkar stated that he advised the Governor for prorogation 'so that the various parties which were split into groups and were acting on the spur of the moment' might have 'the last opportunity to align themselves in well-settled parties' and held out the threat of dissolution in case the members failed to do so.<sup>2</sup> It was in fact an ultimatum to the 'dissidents that unless they agreed to support him he would force them into a new election'.<sup>3</sup> Finally, in the midst of considerable public displeasure, the Sarkar cabinet put down office under a directive from the central government either to call the assembly before the end of August to demonstrate its majority or resign from office. One of the last acts of the cabinet was to make certain important policy decisions, it has been observed, 'presumably to cover up its inactivity and embarrass the next government'. It has been rightly stated that the 'Sarkar ministry's fifteen months in office were, from the standpoint of democratic institutions and practices, one of the worst periods in East Pakistan's history'.<sup>4</sup>

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1. For example, see Dawn, May 24-26, July 10-19, Aug. 13, 1956. There were several notices of no-confidence motions against Sarkar. The Governor amended the procedural rules to increase the number of support of members needed to move such motions on the floor. Ibid., July 30, Aug. 7-8, 1956.
  2. Ibid., Aug. 14, 1956 (also see the editorial); Azad, Aug. 14-15, 1956; EPAP, vol. XIV.
  3. Lawrence Ziring, 'Representative Government in East Pakistan 1955-56', in Mohammad Aziz Ahmed (ed.), Proceedings of the Third All Pakistan Political Science Conference, 1962, p.173.
  4. G.W.Choudhury, 'The East Pakistan Political Scene, 1955-57', op.cit., pp.315-6. For details of the policy decisions, see Dawn, Aug. 29, 1956, news item captioned 'Sarkar Announces Sweeping Reforms'.

With the gradual break-up of the UF coalition from early 1956, the AL began to consolidate its position. From March onwards, its attempts were directed at reaching some understanding particularly with the 'minority' parties and the Ganatantri Dal, and forging a coalition to offer united opposition to the government. Through a series of conferences during May-July, the coalition began to take a definite shape. Before the assembly was to meet in August, it was apparent that the AL, Ganatantri Dal, PNC, UPP (D.N.Datta) and SCF (Rasraj Mondal) were in alignment.<sup>1</sup>

Ataur Rahman Khan, leader of the EPALPP, was commissioned to form the government following the resignation of the UF cabinet. In the fashion of his two predecessors, he formed an initial cabinet, consisting of only five members.<sup>2</sup> However, the fact that the cabinet was completed soon to include seven more members implied that there was a greater understanding among the coalition parties as regards their claim to offices.<sup>3</sup> The AL coalition government started with impressive allegiance to parliamentary principles. The assembly met for the first full-dress session after three years on September 17, and continued for two weeks. The session showed the AL coalition in a commanding majority.<sup>4</sup> In March 1957, the

1. For example, see, Dawn, Mar. 30, Apr. 16, 30, May 3, 20-26, July 15-16, Aug. 13-17, 31, 1956.
2. Azad, Sep. 5-7, 1956. The five cabinet seats were distributed thus: AL-3; Ganatantri Dal-1; a dissident section from UF-1.
3. Ibid., Sep. 19, 1956. The additions were - AL-4: PNC-2; UPP (D.N.Datta)-1. Abul Mansur Ahmad (AL) was taken to the centre after the AL formed a coalition cabinet also in September, 1956. Gaur Chandra Bala (SCF) was taken in the provincial cabinet in January, 1957.
4. The average of two divisions was 150 for the government with 95 voting for the opposition. The third division took place on the electorate issue, the opposition did not participate and the government recorded its highest strength at 159. EPAP, vol. XV, no. 2, pp. 111-4; no. 3, pp. 81-3, 228-30. Under article 145 of the constitution, the assembly expressed its opinion on the electorate issue. A resolution demanding separate electorate, moved by a NLP member, was debated and negatived; the resolution for joint electorate was moved by the chief minister and put to vote without any debate. Ibid., vol. XV, no. 3, pp. 92-104, 161-231.

assembly was called for a regular budget session for the first time after the elections of 1954. In December 1956, the government called by-elections for all seven seats which were vacant when it came to office. It could of course be argued that the party stood to profit by the wave of popular support which it enjoyed at the time after the frustrations of UF rule. However, in course of the next eighteen months, up to June 1958, it held seven more by-elections out of the nine vacancies which occurred during the time; the remaining two seats became vacant only in April that year.<sup>1</sup>

The stability and strength of the AL coalition stemmed from the quite substantial majority it was able to command in the House. The formation of the NAP weakened that majority and thus signalled to the opposition to rally all forces.

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1. The most common cause for vacancies was of course death which claimed a total of 12 members. One seat was declared vacant in 1957 by the Election Commission under Article 78 of the constitution (S. Akbar Ali. See, The Speaker, p. 42). The three cases of resignations occurred because of, double constituency membership in 1954 election (A.K. Fazlul Huq), appointment to governorship of the province (A.K. Fazlul Huq), and the one likely case of migration of a Hindu member (Tara Pada Mallik). The figures on by-elections and vacancies are based on Directory, 1956-58; EBLAP, vol. XII, pp. 1-2; EPAP, vol. XIII, p. 12; vol. XVI, no. 1, pp. 1-2; vol. XVII, no. 1, pp. 1-2; vol. XVIII, no. 1, pp. 1-5; vol. XX, pp. 1-2. Available sources indicate that of the twelve by-elections which were held for Muslim seats, the AL won all but two, conceding one to the NIP and one to an independent candidate who was later claimed as an Awami Leaguer. (See, for example, Callard, Political Study, p. 61; Kamruddin Ahmad, op.cit., p. 156; Dawn Mar. 31, 1957; Azad, Dec. 4, 1957. For ML criticism of alleged AL malpractices in two by-elections and for NAP criticism, see Azad, Jan. 3, Feb. 14, 1958). In September 1958, the Election Commission called for nomination papers for the two remaining vacant seats, fixing Nov. 10, 1958 as polling day in case of contest. Dawn, Sep. 20, 1958.

A coalition with the Azizul Huq-led KSP at this juncture would have balanced the loss for the government in terms of numbers. It would also have rendered the opposition weak. The KSP in the opposition with the wounds of a serious split was not likely to prove effective, at least initially; the NIP and the NAP would have made odd companions in any coalition.<sup>1</sup> Obviously, the Governor, Fazlul Huq would have been pleased at the AL-KSP coalition, as the initiative from the KSP for a coalition was known to have received his blessings. The accommodation of the KSP in the coalition cabinet would not have entailed any retrenchment or set off another process of defections - for, the cabinet was moderate in size and the other coalition partners also approved of the move.<sup>2</sup>

However, as the budget session for 1958 approached, the opposition appeared to be gaining in strength, the KSP led by Azizul Huq taking the lead to bring about a united opposition.<sup>3</sup> The AL course of action was now guided by sheer desperation. From these starting points, East Pakistan politics could be said to have begun on the course which 'admittedly ranged between the grotesque and the macabre'.<sup>4</sup> Shortly before the Assembly was to meet, the coalition cabinet reportedly discussed

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1. The ML and the NAP agreed on cooperation in the West Pakistan Assembly on a 16-point programme. Azad, Mar. 19, 1958. Admittedly, one fundamental difference between the two parties in East Pakistan was on the electorate issue.
  2. For example, see, ibid., Sep. 14, 1957; Abul Mansur Ahmad, op.cit., pp. 434-5.
  3. For example, Azad, Mar. 1-4, 1958.
  4. The expression was used by the correspondent of the Economist on Oct. 11, 1958, when commenting on Pakistan politics of the previous weeks.

no-confidence in the Speaker.<sup>1</sup> It was felt that the Speaker might support the opposition in its attempts to bring about the downfall of the ministry. The procedural rules were amended to lower the number of support necessary to obtain leave of the House to move such motions. The amended rules also made it obligatory for the Speaker to obtain the consent of the chief minister to adjourn meetings of the assembly and also made provisions for passing 'on account grants'.<sup>2</sup> Several important developments took place as the session started. The KSP formally composed its differences and put up a united front.<sup>3</sup> A section of the SCF led by Rasaraj Mondal moved out from the coalition and several individual members withdrew support, and took seats in the opposition.<sup>4</sup> In the first division of the session, on the 'on account grant' for three months on March 22, the government received 130 votes to 106 for the opposition. The NAP abstained from voting.<sup>5</sup> From now on the NAP played a decisive role in the growing political instability and chaos. On March 24-25, the NAP formulated its policy in the legislature to support the government in its 'good work', oppose in the 'bad work' and refrain from any move to overthrow the government. The NAP and the AL also discussed an eleven-point programme

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1. Motions for no-confidence in the Speaker had also been submitted in earlier sessions by various members. The Speaker regarded them as 'political blackmail'. See, Asir Commission Report, Dacca Gazette Extra-ordinary, May 9, 1959, p. 608.

2. Azad, Mar. 8, 1958.

3. EPAP, vol. XVIII, no. 2, p. 117; Dawn, Mar. 20, 1958.

4. Dawn, Mar. 22-23, 1958; Azad, Mar. 22-23, 1958.

5. EPAP, vol. XVIII, no. 3, pp. 142-6.

as a basis for cooperation.<sup>1</sup> However, it was apparent that the government's support was dwindling in the Assembly. On March 30, the government managed to survive the opposition attempt to force a defeat on the floor by only 136 to 121 votes - and this even with the NAP (whose strength was variously estimated between 22 to 28) voting with the government.<sup>2</sup> The implication of the division for the government was that unless the coalition could recoup its strength, it would have to depend on the NAP, which did not appear likely to be a stable companion, for its survival. The chief minister advised the Governor to prorogue the House which was originally intended to sit up to mid-April.<sup>3</sup> The Governor, who would of course have liked to see the KSP in power, deduced that the government did not command majority, maintained that the Finance Bill had been practically thrown out and asked the cabinet to resign. On non-compliance, he dismissed the cabinet, commissioned Sarkar to form the government and prorogued the Assembly from April 1 on Sarkar's advice. Pressed by the AL, on whose support the Republican government rested at the centre, the central government dismissed Fazlul Huq immediately as Governor and appointed the provincial chief secretary as the acting Governor, who in turn dismissed Sarkar

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1. Azad, Mar. 25-27, 1958; Dawn, Mar. 26, 1958. A point of order was raised in the Assembly on the constitutional propriety of the oppositional role of the NAP with the adoption of the said policy. See, EPAP, vol. XVIII, no. 4, pp. 133-42.
  2. There were several motions for circulation of the Finance Bill for eliciting public opinion. Of the two motions actually moved, one from the ML and the other from the NAP, the government agreed to accept the motion moved by the NAP member which sought circulation of the Bill up to April 30. The other motion demanded circulation up to December 30 which in effect would practically nullify the Bill; this motion was put to the vote, the opposition maintaining that it amounted to a no-confidence in the government. EPAP, vol. XVIII, no. 6, pp. 24-50.
  3. The official reasons given were the month of Ramzan, an outbreak of epidemic etc. See, Dawn, Apr. 1, 1958; Ataur Rahman Khan, op.cit., pp. 268-9.



and commissioned Ataur Rahman on April 1.<sup>1</sup> The House was called again on April 3, when the government obtained a vote of confidence, and prorogued on April 5, without any transaction of business.<sup>2</sup> The strategy was to consolidate the position of the government before calling the Assembly to pass the remainder of the budget in June, when the 'on account grant' was due to expire.

Negotiations with the NAP over the latter's five-point programme as the basis of continued support, ~~were~~ still in progress when the Assembly met on June 12. Two points, one unit and foreign policy, on both of which the AL and its leader Suhrawardy had also earlier taken definite stands, admittedly stood in the way of an agreement. The central parliamentary board of NAP, headed by Bhashani, directed the party in the Assembly not to support the ministry and indicated willingness to combine with other parties on the basis of the programme, a cue which the KSP took up quickly. However, a substantial section of the NAP in the Assembly was reportedly in favour of cooperation with the AL. Eventually, on June 18, the NAP decided to remain neutral.<sup>3</sup> At this time, the government coalition suffered a major set-back when the PNC formally split and a section moved out of the coalition. On June 18, the government was defeated on the floor when it received the support of only 126 members as against 138 of the opposition.

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1. Azad, Mar. 31 - Apr. 2, 1958; Dawn, Apr. 1-2, 1958.

2. The government received 157 votes, including those of NAP, while the other opposition parties did not participate. EPAP, vol. XIX, pp. 1-21.

3. The above is based on Dawn, June 13-19, 1958.

The NAP abstained from voting while the dissident section of the Congress voted with the opposition.<sup>1</sup> While Sarkar was commissioned to form the government, the AL shifted from its previous stand and accepted the NAP's five points. However, both the AL and the NAP were aware that this involved an apparently drastic compromise in their previous stands, and preferred to refer to the understanding as one reached between the general secretaries of the two parties. The AL now moved a no-confidence in the Sarkar cabinet on June 20; it came up for discussion on June 23 and the Sarkar cabinet was defeated by 142 to 156 votes.<sup>2</sup> Thereupon, President's rule was promulgated in the province and the provincial expenditure for three months sanctioned. It was commented that this was in fact advantageous for the AL, as it kept its opponents out of power and also did not leave it dependent on NAP for day-to-day survival.<sup>3</sup>

However, the alignment of parties and the relative party position remained obscure and confused. The movement of 'floating' members and the attitude of NAP made any realistic assessment difficult. The two opposing leading parties gave 'physical demonstration' of their support in front of the Governor and the central government agent sent specifically for the purpose. The governor's report showed the AL strength to be at 152 and that of the KSP at 148. The affiliation of the remaining 6 of the total sitting members remained unascertained.<sup>4</sup>

1. Ibid., June 17, 19, 1958; EPAP, vol. XX, pp. 289-298.

2. The above is based on, Dawn, June 21-25, 1958; Azad, June 21-24 1958; EPAP, vol. XX, pp. 301-5, 311-51.

3. Dawn, June 25, 1958.

4. Ibid., Aug. 20, 22, 1958; Azad, Aug. 24, 1958, editorial.

Ataur Rahman Khan was commissioned to form the government. The coalition government met the assembly on September 20 with an extremely uncertain and unreliable majority and in an atmosphere of tension. Even the narrow majority that was established in August appeared unreal because of the shifts and movements which subsequently took place in both directions. Shortly before the assembly was to meet, the Speaker obtained the opinion of the Election Commission on the question of disqualification of six members of the assembly, which had been raised during earlier sessions and was likely to be raised again. It had been contended that the members held office of profit under the government.<sup>1</sup> The Election Commission's verdict, which went against the members, was published by the Speaker in a Gazette notification on September 18. The six members were known to have Awami League affiliations. The government maintained that the matter had been covered by an Act passed by the National Assembly in the first week of September and subsequently by an ordinance of the central government, published on September 19, and hence, the members did not lose their seats. There were also several notices for no-confidence motions against the Speaker from members of the government coalition who feared that the Speaker might side with the opposition.<sup>2</sup> Procedural rules were also amended to curtail his powers. The government desperately needed to pass

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1. EPAP, vol. XVI, no. 1, pp. 64-7, no.2, pp.119-20; vol. XX, pp.301-11. Also see, The Constitution of the Islamic Republic of Pakistan, 1956, Fourth Schedule, article 4(1)(c).

2. For example, one motion accused the Speaker of 'doing active politics and identifying himself against the AL coalition party'. Dawn, Sep. 20, 1958.

the budget during the session as the financial allocations sanctioned in June were to expire at the end of September. The government coalition was able to cause a minor split in the KSP and bolster its own strength somewhat, when on September 18 it added a KSP member to the cabinet. It was suggested by KSP sources, however, that the member was isolated and unable to take anyone else with him. Later, when the session was in progress, the cabinet was further expanded to include a Hindu member who was said to have the support of five members from the Congress group in opposition.<sup>1</sup>

On September 20, the session soon broke down into disorderly conduct.<sup>2</sup> The opposition raised a point of privilege that members disqualified according to the Speaker's notification were present in the House. The Speaker's observations in course of the discussions that ensued drew some noisy protests from the government benches. The no-confidence motions had been ruled out of order by the Speaker and consequently had not been included in the day's agenda. The Speaker read out a prepared ruling as such motion was sought to be raised on the floor. Soon after, the threatening attitude of some government members towards the Speaker, intending to remove him bodily from the chamber, brought several opposition members to his side for protection. A scuffle broke out between members of the government and opposition parties.

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1. Ibid., Sep. 19, 23, 1958; Statesman, Sep. 19, 23, 1958.

2. The present writer was told by the East Pakistan Government Press and the Assembly Secretariat that the official report of the proceedings of the September session of the assembly was never published. It is understood that the Assembly Secretariat possesses some records of the session in the form of reports of the assembly's staff reporters and on tape. It has not been possible for the present writer to consult these sources. Therefore, the account of the September session is exclusively based on Asir Commission Report, The Dacca Gazette Extra-ordinary, May 9, 1959, and Dawn, September 20-25, 1958.

The Speaker in the meantime left the chamber, adjourning the House, it was claimed. The government maintained that the adjournment was illegal and brought in the deputy speaker, who had been earlier approached to uphold the government cause<sup>1</sup> and who was said to have crossed over lately from the KSP to the AL coalition.<sup>2</sup> The government claimed that the House then passed a motion of no-confidence against the Speaker as well as a resolution declaring him of unsound mind.<sup>3</sup> Also, on the same day, a notification was issued by order of the Governor to the effect that the Speaker's notification regarding the disqualification of the six members stood rescinded and that the members were to be regarded as lawful members of the House.

The situation appeared more ominous on September 21 and 22, as a large number of outsiders - 'fierce looking intruders'<sup>4</sup> - said to be supporters of the contending parties entered into the Assembly premises. Some understanding was reached however. On both days, Syed Azizul Huq from the panel of chairmen took the Chair and adjourned the House soon after it met. On September 21, the government presented the budget. On the same day the Assembly also met in its capacity as the electorate for the National Assembly for a by-election. The opposition candidate was elected by 136 to 124 votes, with the NAP abstaining.

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1. Abul Mansur Ahmad, op.cit., p. 469.

2. See, Dawn, Sep. 23, 1958.

3. Also, see ibid., Sep. 21-22, 1958. The Chief Minister ordered that the privileges enjoyed by the Speaker by virtue of his office, were to be withdrawn forthwith.

4. The expression is from ibid., September 23, 1958. It was reported that the AL in fact led the way by having two outside supporters inside the assembly chamber on the first day of the session.



On September 23, the government, determined to carry on with the business of the House had the deputy speaker escorted into the chamber through the Speaker's entrance against the oppositions equally determined attempts to make way for the Speaker. The House became virtually an 'unlawful assembly' from the start.<sup>1</sup> The opposition members took a leading role in creating the disorder intent on frustrating all attempts by the government (helped by having the deputy speaker in the Chair and the machinery of administration and law and order in their hands) to pass the budget. The deputy speaker was injured within minutes by missiles thrown at him.<sup>2</sup> Summoned by the deputy speaker, the District Magistrate and the Superintendent of Police, who were in the assembly premises, arrived at the scene and were asked to 'clear the House at once'. The Chief minister, when approached, maintained that only the 'rowdy' members, who on this occasion mostly belonged to the opposition, were to be cleared. The police force was called in to assist the sergeants-at-arms to

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1. The expression was used by the Additional District Magistrate of Dacca in evidence before the Asir Commission. There appeared to have been serious apprehensions of break-down of law and order on that day. While precautionary measures had been taken from the beginning by the police and the magistracy in consultations with the Chief minister, now stricter arrangements were made. The Assembly Secretariat also took precautions to prevent entry of unauthorised persons in the Assembly premises. The deputy speaker had fifty policemen deputed to the Secretariat to act as sergeants-at-arms to help maintain peace and order in the Assembly precincts and in the Assembly chamber' and requisitioned the help of another fifty policemen who were 'to be posted in the Assembly premises and if necessary placed on duty in the Lobbies'.
  2. The deputy speaker was removed to the hospital where he died after two days. The Governor appointed an acting Speaker to perform the duties of the office until the election for a Speaker was held. Dawn, Sep. 26-27, 1958.



remove the rowdy members from the chamber. Scuffles followed in the process. Finally, the police with some use of force took the members outside, whereupon the other opposition members left the chamber. The government proceeded with the business of the House, presided over by a member from the panel of chairmen.

On September 24, the opposition boycotted the session. The government completed the budget discussions and passed the Appropriations and the Finance Bills and also performed some legislative business. The session was then prorogued.

During the session and afterwards, the party position remained somewhat fluid as individuals and small groups of members moved out of, or into, alignments. The stand of NAP still remained ambiguous. The parliamentary party, with some amount of dissatisfaction in the ranks, supported the government, while the leader of the party publicly assailed the AL policies and leadership.<sup>1</sup> The tangled position was that the opposition maintained that the Speaker was entitled to continue in his office. The Speaker and some opposition members in fact took recourse to the courts to vindicate their claim.<sup>2</sup> In some circles, it was even doubted if the session could be properly said to have been held.<sup>3</sup> The appointment of an acting Speaker after the death of the deputy speaker showed that the government, on the other hand, was insistent on its stand. It appeared unlikely, however, that the government

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1. For example, see Azad, Sep. 30, 1958. Editorial.

2. Dawn, Sep. 26, 30, Oct. 2, 7, 1958.

3. See, ibid., Sep. 26, 1958. Editorial.

would suffer any reversals in the assembly as it was doubtful if another session would have been called before the elections which were expected to be held in early 1959. On October 7, the constitution was abrogated in the country.

The fragmented political composition of the second legislature necessitated coalition politics which in turn gave impetus to further fragmentations and defections. The virtual disintegration in 1958 was the ultimate stage in the gradual progression of the process. It may be said that the political developments of 1958 demonstrated the breakdown of coalition politics. The experience of AL coalition for nearly a year following its assumption of office suggests that coalition politics worked successfully and provided fairly stable governments only when the forces could be so balanced as to produce a substantial majority in the legislature. This removed a basic motivating factor for further fragmentation, defection and re-alignment which in turn helped maintain the equilibrium. Sarkar's reaction to the apparent failures of coalition politics in 1955-56, had been to keep the legislature in abeyance. Similar failures in 1958 led to the staging of various manoeuvres with a view to force decisions on the floor of the House. Unlike its predecessor, the AL coalition was not in a position to altogether ignore the legislature. There was indeed greater desperation in 1958 than there was in 1955-56, and determination on the part of parties to occupy the seat of power as the general elections were expected to be held in early 1959.<sup>1</sup>

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1. For similar comments, see Asir Commission Report, op.cit., p. 615; Richard S. Wheeler, op.cit., p. 221.



4. Politics and leadership at national level and the political process in East Pakistan.<sup>1</sup>

Prime Minister Mohammad Ali countered the various suggestions for some re-adjustments of representation in the Constituent Assembly (which also functioned as the national legislature) to adequately reflect the change brought about by the disastrous defeat of the Muslim League in East Pakistan in March 1954. He stated that the 'mandate' to frame the constitution had been given to the Constituent Assembly and not to the Muslim League as such.<sup>2</sup> It was maintained that the change of leadership and representation in the provincial sphere did not warrant any change at the national level.

Soon differences between the central and provincial governments arose, it was claimed, because of the latter's failure to comply with the central government directive in dealing with the riot situation in certain industrial areas of the province in May. Supporters of the UF alleged that the

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1. The federal-provincial relationship at both governmental and political levels is outside the scope of the present study. In the chapter on politics of first assembly an attempt was made to analyse the relationship at the political level in the context of the Muslim League as the party in power at both the centre and province during the period. The present section, however, does not develop any particular theme systematically, but only briefly focuses attention on some relevant political developments of the time. Therefore, this section is to be treated as only a partial study.

2. For example, see Dawn, Mar. 21, 31, 1954. The Constituent Assembly had a total membership of 79, out of which 44 were from East Bengal. Of these, 13 represented the non-Muslim population of the province. Muslim League was the only party which represented the Muslim seats from East Bengal. While on the one hand, the provincial electoral verdict could be taken as indication of utter rejection of its Muslim League representatives at the centre by East Bengal because of identification of leadership at two levels, on the other hand it was a unique situation with virtually no precedent or definite constitutional guidelines on the matter.



disturbances had been deliberately created to discredit the new government, while the prime minister held the communists and hostile external forces responsible for the riots.<sup>1</sup>

Foreign observers however suggested that the problem of the mohajers or immigrants (who came from India at the time of or after independence), antagonisms between the local Bengalis and the non-Bengali particularly Bihari mohajers, economic grievances and poor income of the labourers largely explained these riots.<sup>2</sup>

During his visit to West Bengal in the first week of May, the chief minister of the province made some speeches which could be interpreted as negating the concept and integrity of Pakistan, as being unduly placatory to the people of a country which in the field of foreign relations was not to be regarded as friendly, or perhaps simply as the utterances of one who was by nature somewhat rhetoric-prone. Towards the end of May, the chief minister was reported as having advocated independence for East Pakistan in course of interview with a foreign correspondent. The relevant portions from the despatch of the correspondent to the New York Times were as follows,

The leader of East Pakistan, the largest province of Pakistan said today it wished to become an independent state. Fazlul Huq, chief minister of the province, made this statement a few hours after a closed-door meeting with Prime Minister Mohammad Ali. Mr. Huq, an octogenarian with fifty years of political experience ... said that the separation of West and East Pakistan by more than 1000 miles of India was one reason for 42,000,000 Bengalis wanting their freedom.

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1. G.W.Choudhury, Democracy, p. 58; M.A.Chaudhuri, op.cit., p. 194. Also, for example, see Bhashani's comments in Dawn, May 20, 1954.

2. 'East Pakistan Looks for Autonomy, not Independence', Manchester Guardian, July 19, 1954.

At a two hour interview, he reviewed several "cultural and economic points of disagreement" between the two zones. These included the language difference, the lack of corridor across India other than by air, and the lack of revenue balance .... After announcing today that he would complete the formation of his ministry early next month, Mr. Huq said the cabinet of twenty would take up the issue of autonomy for East Pakistan.

Discussing the possible partition, which would be the greatest blow to the two-nation theory in the sub-continent ..., Mr. Huq talked about building a Bengali Navy and spoke of the province's "natural defences".

He said he had no idea of how soon autonomy could be accomplished. "However, independence will be one of the first things to be taken up by my ministry."

"There is a trend for it", he added.

Asked what the reaction would be in the Central Government to a move for partition, Mr. Huq said, "Undoubtedly they will try to resist such a move. But when a man wants freedom, he wants it"....<sup>1</sup>

It has been suggested in some quarters that the misunderstanding arose because of Fazlul Huq's use of the words 'autonomy' and 'independence'.<sup>2</sup> However, evidently perturbed,<sup>3</sup> the centre dismissed the provincial cabinet and imposed Governor's rule.<sup>4</sup>

The centre's move has been variously construed, however.<sup>5</sup> But the prime minister, explaining the central

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1. See the despatch captioned, 'East Pakistan desires freedom. Chief Minister of Province says it Plans to become an independent State'. By John P. Callahan on May 23, 1954, p.12.
  2. 'East Pakistan Looks for Autonomy, not Independence', op.cit., July 19, 1954; Aatur Rahman Khan, op.cit., p. 82.
  3. The prime minister even arranged a confrontation between Huq and Callahan when Huq denied having implied secession. The Dawn reported, 'Callahan sticks to his gun', May 26, 1954.
  4. The New York Times heading for the news item on page 1 on May 31, 1954, was-'Pakistan ousts East Zone Chief, Charges Treason. Dismissal follows labour riots and Bid for Independence by Provincial Leader'.
  5. For the various views expressed, see Guy Wint, South Asia: Unity and Disunity (International Conciliation, Carnegie Endowment for International Peace, no. 500, Nov.1954), pp.142-3; Stanley Maron, 'The Problem of East Pakistan', op.cit., pp. 134-5; Park and Wheeler, East Bengal under Governor's Rule, op.cit., pp. 131-2; Manchester Guardian, June 1, 1954, leading article; Report of the Constitution Commission, 1961, pp. 9-10.



government's decision, referred to the labour riots and the nature of Huq's reported speeches at Calcutta and interview with the correspondent of the New York Times. He denounced Huq as a 'traitor'.<sup>1</sup> Earlier in the year, before the elections took place, prime minister Mohammad Ali had tried to come to 'an arrangement with Huq if he agreed to join the Muslim League'.<sup>2</sup> Before the year was out, both the prime minister and the Governor-General were to enter into negotiations with Huq because of the dictates of political necessity.

The circumstances of the dissolution of Constituent Assembly in 1954 required new bases of support from East Bengal in place of the ML led by Fazlur Rahman - Nazimuddin - Nurul Amin. The UF, by then its unity under some considerable stress, was eager to supply the base as this would remove the ML from leadership of the province at the central arena. It has been suggested earlier that the central leadership apparently preferred the disunity of the UF, and the negotiations in fact aggravated the split.

During the period of the first legislature in East Bengal, when the ML was in power at both Karachi and Dacca (in fact, the Bengali leadership practically belonged to the same group within the party), the central political leadership was in a position to influence the political process in the province through the channels of the party, and thus possibly in somewhat routinised and imperceptible manner. Also, the absence of other parties from the province at the centre or even in the provincial legislature capable of alternative

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1. Dawn, May 31, 1954.

2. Ibid., Mar. 18, 1954. Editorial.

governments, kept the central authority in relatively exclusive contact with only one political party from the province. The defeat of the Muslim League in the provincial election of 1954, the eventual break-up of the UF and the political composition of East Bengali representation in the second Constituent Assembly, altered these factors. There were now in the provincial field two main contenders for office, and the centre was thus subjected to the various pressures of canvassing for support.<sup>1</sup> The composition of the second Constituent Assembly also made the central government more dependent on provincial support.<sup>2</sup>

The dismissal of Khwaja Nazimuddin by the Governor-General Gholam Mohammad in 1953, initiated a significant change in the style of political leadership at the centre.<sup>3</sup> The Governor-Generalship of Gholam Mohammad and succession to the office by Iskander Mirza saw an increasingly greater involvement in party affairs and participation in active politics by the Head of State.<sup>4</sup>

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1. For an informal account, see Abul Mansur Ahmad, op.cit., p.298 and ff.
  2. With the completion of the constitution in 1956, the Constituent Assembly continued as the National Assembly under the Temporary and Transitional Provisions of the Constitution, 1956.
  3. Also see similar comments in Vorys, op.cit., p. 94; G.W.Choudhury, Democracy, p. 47.
  4. Any work on the political process of Pakistan is incomplete without a reference to their political roles. For example, see, Sayeed, Political System, pp.74-82, 88-9; Abul Mansur Ahmad, op.cit., p. 272 and ff; Ataur Rahman Khan, op.cit., pp.252-5; G.W. Choudhury, Democracy pp.45-9, 110-4; Callard, Political Study, pp. 23-4, 135-50; Mushtaq Ahmed, op.cit., pp. 24-42; Rushbrook Williams, The State of Pakistan (London: Faber and Faber, 1966), pp.149-58. Perhaps a relevant query, but outside the scope of the present study, would be: in so far as the office of the Head of State was external to the processes of the legislature, where exactly were the loci of power in Pakistan politics?

Almost every actual and potential ministerial change in East Pakistan during the period was to some extent associated with central leadership. The connections could be seen at work in primarily two ways - visits from the prime minister or central cabinet members on such occasions to Dacca, and more frequently, of the provincial politicians - leaders and influential members - to Karachi for conferences with the prime minister and others and 'audiences' with the President.

The political situation as it emerged by 1958 was complicated by the alignments that developed across the centre-province arena. To put it in brief and simplified manner, the President disapproved of the AL, or more correctly, President Mirza and AL leader Suhrawardy fell out with each other.<sup>1</sup> The Republican Party over which the President had considerable influence<sup>2</sup> was in power at the centre. But Feroz Khan Noon, the prime minister, and Shaheed Suhrawardy appeared to be in alliance<sup>3</sup> and in fact the political developments of the province during March-August 1958 indicated that the prime minister approved of the AL. On the other hand, the KSP and generally speaking the anti-AL forces looked to the President for support and provided him with ready and willing bases against the AL. The KSP also was inclined to co-operate with the Republican Party and the Muslim League at the centre. In evidence before the Asir Commission, it was said on the question of the political background to the incidents which took place in the assembly in September 1958, that -

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1. Abul Mansur Ahmad, op.cit., pp.424-47; Rushbrook Williams, op.cit., p. 157.
  2. G.W.Choudhury, Democracy, p.112; M. Rashidurzaman, Pakistan : A Study of Government and Politics (Dacca : Universal Press, 1967) pp.121, 125.
  3. G.W.Choudhury, Democracy, p.115; Sayeed, Political System, p.90.

There was also a feeling, a strong feeling, that the various political parties had the backing of the Prime Minister and the President; and that, I should say, aggravated the situation and encouraged them to fight it out. <sup>1</sup>

In his Proclamation of October 7, 1958, abrogating the constitution and promulgating martial law in the country, President Mirza referred to the 'disgraceful scenes enacted recently in the East Pakistan Assembly'.<sup>2</sup> But perhaps the process, which eventually led to the incidents, itself could have been arrested earlier by the re-imposition of President's rule in the province under section 193 of the constitution at the end of August when it became apparent that two months of President's rule since June had failed to produce any firm and decisive alignments.<sup>3</sup> Another alternative but more drastic solution under the constitution would have been dissolution of the assembly in June or August or even during or after the September session, by the exercise of the Governor's prerogative. This decision should have been made the easier by the fact that the general elections were already tentatively scheduled for February 1959.<sup>4</sup> However, the possible reactions

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1. The above is quoted from a portion of the evidence of the then Chief secretary of the province, as published in the Report. The former Chief Minister was also said to have supported the evidence. Also, the exhibits as included in the Report - several telegraph and phonogram messages from Dacca to Karachi on September 19-20, would also indicate the lines of alignment. See, the Report, *op.cit.*, pp.612-5, 637, 665.
  2. For full text of the Proclamation, see Dawn Oct. 8, 1958.
  3. Article 193 provided for imposition of President's rule in case of failure of constitutional machinery of a province for a period of two months. The period could be extended by not more than four months by the National Assembly.
  4. See, Abul Mansur Ahmad, *op.cit.*, p. 455. The electoral rolls for the National Assembly as well as the East Pakistan Assembly were published at the beginning of October. See, Dawn, Oct. 3, 1958.

of the two main contestants for power in the province towards such measures were perhaps important considerations, had the centre been thinking in these lines. The Governor's attitude which could be described as 'sympathetic' to the AL, was also a crucial factor. But far more significant was the fact that the centre itself was divided in its support virtually as<sup>1</sup> active and partisan participants in provincial politics.

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1. Perhaps an equally significant factor was the time when the decision was taken to impose martial law, or at any rate, to abrogate the constitution in the country. It would appear from Ayub Khan's Friends Not Masters that the plan was finalised in early October (p.70; also see Sayeed, Political System, pp.92-3), while he stated earlier that President Mirza was 'looking for opportunity to abrogate the constitution' and was 'setting the stage for it' (p.57). Abul Mansur Ahmad sought to argue that the political developments of September took place because they were to be used as justification for the abrogation of the constitution and imposition of martial law. (Op.cit., pp.470-2).

CHAPTER VLEGISLATURE AT WORK1. Questions.

The first hour in the legislature was devoted to the answering of questions. Members were required to give twelve days' notice of their intention to ask questions. This did not ensure, however, that their questions came up regularly on the floor at the expiration of that period. No member, without the special permission of the Speaker, could send in notices for more than twelve questions in one session, fifteen if the session lasted sixty days. The procedural rules provided that questions should relate to matters that were primarily the concern of the provincial government. The rules also provided that 'in matters which are or have been the subject of controversy between the Government of Pakistan and the Provincial Government, no question shall be asked, except as to matters of fact, and the answer shall be confined to a statement of fact'.<sup>1</sup> There were certain conditions which governed the admissibility of questions. For example, questions were to be asked only with the object of eliciting information; they were not to be vague or unintelligible or relate to trivial matters, raise questions of policy too large to be dealt with within the limits of an answer to a question, ask for expression of opinion or the solution of a hypothetical question or of an abstract legal question, refer to matters under adjudication by courts of law, ask for information about the proceedings of any committee

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1. The central legislature also had a similar rule. See, Constituent Assembly (Legislature) of Pakistan. Rules of Procedure and Standing Orders, 1948.



appointed by the assembly.<sup>1</sup> On a point of order raised in the assembly during the budget session in 1958, the Speaker ruled that the administration of the assembly secretariat and the conduct of its officials were outside the scope of questions on the floor of the House. His ruling however was not generally well-received and members belonging to the government coalition parties as well as some parties in the opposition, submitted their views which differed from his ruling. This was against the background of the mounting criticisms against the Speaker over his administration of the secretariat.<sup>2</sup>

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1. There were fifteen such conditions laid down in the Procedure Rules. Part III deals with questions. No significant additions or alterations to the existing 'admissibility' rules were suggested in the Draft Rules (see pp.28-9 above) except that no questions were to be asked regarding cabinet discussion or advice given to the Governor for which there was constitutional, statutory or conventional obligation not to disclose, or on matters, except their procedure, subject or stage of enquiry, pending before any statutory tribunal or authority performing judicial or quasi-judicial functions or any Commissions or Court of Enquiry.
  2. See pp. 46-9 above. The Speaker based his ruling on the view that the rules governing the procedure of the House did not provide for questions from the floor regarding such matters and that the new rules, to be framed under article 88 of the constitution, were still being awaited. He rejected the argument that the necessary provision was made by the Assembly Secretariat Act, maintaining that a procedural matter such as this was in fact outside the scope of the Act, as provided by section 13 of Part IVB of the constitution under which the Act was framed. He ruled that in the absence of any provision in the existing procedural rules, the practice of the British Parliament was to be followed, and cited May's Parliamentary Practice and also the recently adopted procedural rules of the National Assembly of Pakistan. (EPAP, vol.XVIII, no. 2, pp. 117-8; vol. XVIII, no.3, pp. 1-3; vol. XVIII, no.4, pp. 73-88). The Draft Rules as proposed by the select committee on rules under article 88 of the constitution, provided that all matters of administration of the assembly secretariat for which the Speaker was responsible were to be answered in the assembly by the deputy speaker.

The assembly secretariat provided members with prescribed Question Forms on which to submit their questions.<sup>1</sup> The section of the assembly secretariat responsible for dealing with questions then examined these in the light of the prescribed conditions for admissibility, edited and presented them, together with appropriate notes on those which had been found to be inadmissible, to the Speaker for his final decision.<sup>2</sup> The Speaker had powers to disallow questions not only for non-compliance with Rules, but also if he thought them to entail abuse of the right of questioning. When a question was disallowed by the Speaker, the member concerned was informed of the decision, but not the ground for it as was the practice in the undivided Bengal legislature.<sup>3</sup> Admitted questions were then

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1. A copy of the Form is appended. See Appendix VI. On each question the Assembly secretariat maintained an individual file which started with the Question Form and included all further records and correspondence, if any, between the government department or relevant authority and the Assembly secretariat. The file for admitted question for which an answer had been received was finally closed with a copy of the printed list of Questions and Answers prepared for the business of the House. The assembly secretariat also maintained a session-wise Register on Questions, with columns for entries on serial number of questions as received by the secretariat, the date when received (members also submitted questions by post or otherwise before the session started), names of members, subject-matter of questions, the ministries and departments which they concerned, the nature of questions - if starred or unstarred, the decision of the Speaker - if allowed or disallowed, and the dates when the decision was given, the question sent to the administration for reply, the member informed in case his question had been disallowed, answer received from the administration and the question answered on the floor of the House. The observations in the present paragraph in the text are based on this source and also on discussions in April 1969 between the present writer with Azad Ali, retired Assistant Secretary, and M. Korban Ali Chowdhury, then Junior Head Assistant, of the assembly secretariat. Any further source that has been cited below in connection with the above text only confirmed or supplemented the facts that emerged from the discussions.

2. EBLAP, vol. III, no.2, pp. 83-4.

3. Ibid.

despatched to the government department, which after collection of information submitted the answers to the assembly secretariat with the approval of the ministerial and departmental heads. The assembly secretariat, on receipt of these answers, prepared and printed lists of Questions and Answers for the Question Hour of the assembly.<sup>1</sup> Unlike the central legislature, ministries were not grouped for the purpose of answering questions in rotation on different days.<sup>2</sup> The lists were circulated to the ministers and departments concerned sufficiently in advance so that the ministers came prepared for the questions and the departmental officials were in their places with the necessary files and materials. When in the second assembly a minister sought notice for a supplementary question on the ground that he could not familiarise himself with the details of the question as the printed answers were only supplied to him as he entered the House, a member remarked that the actual process of answering a question already gave him scope to acquaint himself with the facts. The Speaker observed, 'That is the ideal towards which we are moving. The realities are not ideals'.<sup>3</sup> Printed lists were made available to members before the commencement of the day's sitting - generally half-an-hour earlier following the

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1. Copies of such lists for a day's session are given in Appendix VII. The lists are not to be taken as representative of any one day's questions. But they reflect more or less fairly the nature of questions which came up in the assembly from time to time, e.g. questions concerned purely with constituency grievances, questions with political undertones, questions seeking information from or admission by the government of a matter of fact or policy. Members whose names appear in the lists were not necessarily the most active members as far as questions were concerned.

2. See, Constituent Assembly (Legislature). Rules of Procedure and Standing Orders.

3. EPAP, vol. XV, no. 2, p. 87.

practice of undivided Bengal legislature. But members complained that lists were not regularly supplied to them in time and therefore they could not study the answers or think over supplementary questions.<sup>1</sup> The Draft Rules put it down that the printed copies of questions and answers should be laid on the table at least half-an-hour before the Speaker took his seat.

The business of the House started with the Question Hour.<sup>2</sup> As a point of contrast between the Question Hour of the two assemblies, it may be mentioned that in the first, though there were occasions when heat was generated, the atmosphere on the whole was placid. A smaller House with a relatively larger proportion of members with previous experience, the size and nature of the opposition - all of these may have been factors contributing to relative orderliness during the Question Hour. In the second assembly, on the contrary, members were less given to discipline or inclined to conform to procedural rules. As political conditions inside the House were potentially fluid, every utterance and move in the Question Hour assumed political significance. The beginning of the day's sitting was considered the most propitious time to make statements on or references to

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1. For example, EBLAP, vol. I, no.4, p. 168; vol.II, pp.36,59; vol.III, no.2, pp. 80,214, 228-9; EPAP, vol.XV, no.2, pp.87, 221; vol.XVI, no.4, p. 200.

2. The Question Hour, however, did not always last for one whole hour. There is no indication in the official proceedings as to how much time the House devoted to various functions each day. It only noted the time of commencement and adjournment of the day's sitting. It is nevertheless possible to have some general idea as far as questions were concerned, from the number of questions and supplementaries and also from the occasional complaints of members that a full hour had not been devoted to questions. The Procedure Rules provided that 'unless the Speaker otherwise directs, the first hour of every meeting will be available for the asking and answering of questions'.

happenings outside the legislature, which were likely to discredit the government. Numerous points of order or privilege were raised, statements made and replies thereto offered during the Question Hour.

Questions were taken up in the House in the manner in which they appeared in the lists, starred questions having precedence over unstarred.<sup>1</sup> Ministers read out the printed replies of starred questions.<sup>2</sup> They could of course make alterations or modifications to the printed replies in view of further developments or up-to-date information, with the permission of the Speaker. Printed replies of unstarred questions were taken as read. Members put supplementaries to starred questions after the reply was read, and to unstarred questions after the secretary called out the number. The Procedure Rules laid down that supplementary questions could be

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1. Questions, starred or unstarred, not taken up on the day were held over for the following day, when they were dealt with first. Questions were held over if, for example, the House ran out of time or took up some other important business, or the Minister asked the Speaker to do so for any particular reason or the Minister was absent, or members successfully impressed upon the Speaker the need to give the minister time to 'better' acquaint himself with the facts of an important question. Questions not answered or taken up during the session did not lapse, but were carried over to the next session. At the beginning of every session members were circulated with lists of pending questions.
  2. Parliamentary secretaries usually tackled the Question Hour in the first assembly with the exception of the first couple of sessions. It was stated that the duties of their office required them to familiarise themselves with the answers proposed by the departments, to make preparations for answering relevant supplementary questions, to arrange for such supplementary questions to be asked as would give the minister an 'opportunity of removing misunderstanding and erroneous impressions in the House' and to answer questions in the absence of the minister or at his discretion. (EBLAP, vol. III, no. 2, pp. 46-8). In practice, however, the parliamentary secretaries generally faced the Question Hour on behalf of their ministers. In the second assembly, the ministers performed the job. (During September 1956 to September 1958, there were only two parliamentary secretaries who also functioned as deputy chief whips. See, the Directory 1957, 1958). For the sake of uniformity, the word 'minister' has been used in the text.

asked for 'further elucidation of any matter of fact regarding which an answer has been given'. Often, questions, to quote Ivor Jennings, 'serve as pegs on which to hang a more insidious supplementary'.<sup>1</sup> Writing on Question time of the House of Commons, Eric Taylor commented,

Members soon learn the art of question-asking. The expert uses his 'notice' question to prise a chink in the masonry of his adversary; then if the chink is sufficiently wide, he explodes his 'supplementary' with shattering force. For this form of attack, the more seemingly guileless the original question the better. 2

Whether supplementaries followed an original question deliberately designed for the purpose, or were asked simply to clarify a matter further, it was the supplementaries which generally made the Question Hour lively and exciting, on occasions a little uprorious. The rules governing the admissibility of questions applied to supplementary questions as well. But the prime test of supplementary was 'relevancy'. Speaker Abdul Karim observed that if a minister already volunteered answers to a supplementary not strictly relevant to the original answer, he could not avoid further questions based upon his latter answer on grounds of irrelevancy. A member intending to ask a supplementary must first 'catch the Speaker's eye'.<sup>3</sup> If the member thought the

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1. Parliament (2nd ed.; Cambridge: University Press, 1961), p.106.

2. The House of Commons at Work (7th ed.; Penguin Books Ltd., 1967), pp. 112-3. Eric Taylor was appointed in 1942 to the Department of the Clerk of the House of Commons and at the time of writing was a Deputy Principal Clerk.

3. A booklet called Parliamentary Conventions, published by the East Bengal Legislative Assembly Department to serve as easy reference for members, described the phrase in the following terms,

A member is said to have caught the eye of the Speaker if he succeeds in being chosen by the Speaker to address the Chair .... a member, out of several members, who have risen with the object of being allowed to speak may have been first observed by the Speaker physically but he cannot necessarily on that account, be said to have caught the Speaker's eye unless he is selected by him to speak.



answer to be unsatisfactory, he was not expected to persist with the same question. He could put another supplementary provided of course he was again successful in 'catching the Speaker's eye'. A member could not supply information or make request for action through supplementaries.<sup>1</sup> Supplementary questions which the minister was not willing or prepared to answer could be avoided by asking for notice. The Procedure Rules provided that when a minister sought notice to a supplementary question, the member concerned could later in writing remind the minister, without diminishing his quota of questions. The member of course scored his point if a minister took frequent refuge behind such pleas as 'I can't say off-hand' or 'I want notice'. Such repeated pleas often brought forth sharp jibes from members. Indeed, judging from the treatment of questions during the Question Hour, it has to be admitted that the government often treated the legislature in a rather cavalier and brusque fashion. Speaker Abdul Karim (first assembly) advised the government that such expressions as 'perhaps' and 'might have been' ought to be avoided while answering questions. He remarked on one occasion,

.... if the Government do not give a proper answer to a question, it will practically be a breach of privilege of members of the House. When a question is put, Government should say whether they know or do not know and they should not avoid answering any question. 2

Speaker Abdul Hakim (second assembly), in course of a comprehensive ruling called forth by points of privilege on the floor,

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1. Requests to enquire or look into a matter or a grievance brought up by the original or supplementary questions, were generally ruled out of order in the first assembly. There was noticeable latitude in this respect in the second assembly, but whether the promises were fulfilled was a different matter.

2. EBLAP, vol. XI, no. 2, p. 119.

maintained that the Chair had no control over the contents of an answer; but he ruled that,

.... an answer to a question should be, whatever may be the nature of it, in a manner not to stultify the House as a whole, but it should be sufficiently conclusive and intelligible. 1

A large number of questions concerned the members' constituencies and included both district and local matters. Many of these could be presumed to have been prompted by the interests of their constituents. It would underline the fact that members of the legislature, or at any rate those who made use of the right of asking questions among the other parliamentary privileges, maintained fairly close connections with their constituencies. To ordinary citizens, the members naturally served as the vital link with the government for redressing personal and local grievances. Members also no doubt looked upon themselves as the spokesmen of constituency needs and demands.<sup>2</sup> An analysis of 240 questions asked in the fourth session of the first assembly shows that slightly more than half of the questions directly referred to the members' constituencies, sub-divisions or districts.<sup>3</sup> A similar examination of 138 questions during the first session in 1958 of the second assembly confirms a more or less similar pattern.<sup>4</sup>

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1. EPAP, vol. XVI, no. 6, pp. 111-4; also see vol. XVI, no. 4, pp. 9-12.

2. Also see, Mirza Gholam Hafez, 'The Supremacy of the Legislature', The Speaker, p. 29.

3. The fourth session (November 14, 1949-March 13, 1950) was the longest session of the assembly when it sat for 52 days. The highest number of questions - about one-fourth of the total, were dealt with in this session. See Table 9, p.320.

4. This was the second longest session of the second assembly (March 13-April, 1958), when the House sat for 18 days. Roughly about one fourth of the total questions were dealt with in this session. See, Table 10, p.321.

Besides, there were also questions which did not make any direct reference to their constituencies, but dealt with matters which nevertheless were constituency matters, - for example, when a member from Khulna asked a question on prevention of smuggling across the border, he obviously referred to a problem that concerned his district.

Table 9

Questions answered in the first assembly.

No. of sessions held	Actual days of sitting	No. of days Question Hour held	QUESTIONS (4)			No. of questions per day on average (i.e. average of (4(c)) to (2). (5)
			starred	unstarred	total	
(1)	(2)	(3)	(a)	(b)	(c)	(5)
I	22	6	8	8	16	1
II	6	5	15	8	23	4
III	25	23	103	48	151	6
IV	52	47	167	73	240	5
V	22	17	56	30	86	4
VI	19	17	81	31	112	6
VII	3	3	14	4	18	6
VIII	5	5	10	10	20	4
IX	20	20	109	50	159	8
X	24	21	51	23	74	3
XI	18	15	47	31	78	4
Total	216	179	661	316	977	5

(Note: All fractional figures in column (5) have been rounded to the nearest whole figure.)

Members also asked a number of questions on recruitment, promotion, pay scales etc. of the various cadres of the government services. Occasionally there were also questions

on the conduct of the government officials, especially district and sub-divisional officers. There were questions which concerned the general policy and administration of the government. Questions of such nature were more commonly used as a weapon by the opposition or 'rebel' members. Apart from those questions asked of the Home department, which was concerned with law and order and matters of general administration, questions on education, agriculture and medical and public health were the most common. But members did not ask as many questions as perhaps could be expected on certain important aspects of the

Table 10

Questions answered in the second assembly

No. of sessions held	Actual days of sitting	No. of days Question Hour held.	QUESTIONS (4)			No. of questions per day on average (i.e. average of (4(c)) to (2))
			starred	unstarred	total	
(1)	(2)	(3)	(a)	(b)	(c)	(5)
I	1	-	-	-	-	-
II	1	1	3	-	3	3
III	1	-	-	-	-	-
IV	16	14	65	41	106	7
V	22	20	134	89	223	10
VI	6	6	47	25	72	12
VII	18	14	90	48	138	8
VIII	2	-	-	-	-	-
IX	11	6	37	27	64	6
Total	78	61	376	230	606	8

(Note: All fractional figures in column (5) have been rounded to the nearest whole figure. The tenth session, held in September 1958 has not been taken into account).

functioning of the legislature itself. For example, no by-elections were held after 1949 in the first legislature, as a result of which there was a large accumulation of vacant seats. But the fact that only two questions were asked on this, once in 1949 and again in 1951, would indicate that members and particularly the opposition did not fully use the right of questions to express their dissatisfaction or to embarrass the government. To take another matter, the Public Accounts Committee of the legislature rarely functioned at all. Yet there were only two questions on the matter, - one in 1953 and another in 1958. The available information from the Register on Questions<sup>1</sup> suggest that members did not submit any more questions on these matters. These irregularities were of course referred to, from time to time, in debates and discussions. But surely, a more persistent use of questions for this purpose would have displayed eagerness, on the part of the legislature, to exert its rights and powers.

In the first assembly the attention of members was engaged to a considerable extent on two special kinds of 'constituency' questions. A large proportion of questions put by Hindu members dealt with requisition of houses and seizure of guns belonging to the minority community.<sup>2</sup> As representation

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1. See p.313, footnote 1.

2. Houses were requisitioned under the East Bengal Requisition of Property Ordinance 1947 and then the East Bengal (Emergency) Requisition of Property Act 1948. (For the Act, see EBLAP, vol.II, pp. 62-85, 96-120). Guns were seized for training and equipping the Pakistan National Guards and the Ansars. (The Ansar was a voluntary organisation whose functions were mainly to assist the government in 'maintaining communal harmony' and in 'reconstruction work'; it was to become part of the police force in times of emergency. The PNG were under the Military, and during emergency were intended to form part of the army. For details, see ibid., vol. 1, no.4, pp.40-52, 58-82). It was maintained by the government that the laws were applied without any discrimination, but the Hindus naturally were more affected as they owned relatively more 'pucca' houses and licenses for guns etc.

was on communal lines, this has been noted as a 'constituency' issue. In this connection, it could also be mentioned that, to some extent, the pattern of questions reflected the method of representation and the existing pattern of party lines. Hardly ever did Muslim members ask questions which concerned merely the minority community. The Caste Hindus concentrated more on the type of issues mentioned above as well as other matters concerning the minority, while the Scheduled Caste members were more concerned with the problems peculiar to themselves, e.g., education and employment opportunities for the Scheduled Caste community. The second type of 'constituency' question was that put by members of the Sylhet district concerning the absorption in the government of East Bengal, of those former Assam government employees from the district who had opted for Pakistan at the time of independence, and the protection of their interests in the new government. However, both these types of questions were products of the circumstances of independence and appeared to be virtually absent in the second assembly. In the first assembly, a large number of questions, asked by the official opposition which represented only the minority community, implied accusations of discriminatory treatment. In the second assembly, on the other hand, when each successive government was formed in coalition with 'minority' parties, the number of such questions was significantly reduced.

Members from north Bengal districts asked fewer questions as compared to members from, what were referred to as, east Bengal districts.<sup>1</sup> This was somewhat surprising particularly

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1. Excluding three members from the north Bengal districts of Rajshahi (Madar Bux), Rangpur (Khairat Hossain) and Kushtia (Nawajesh Ahmed), in the first assembly who asked a total of 126 questions and who in fact ranked amongst the top scorers as far as the number of questions was concerned. The average number of questions from the north Bengal districts (excepting these three members) were more or less the same in both the assemblies.



because on the whole they made fairly extensive use of the opportunities provided in debates and discussions to focus attention on the alleged neglect of the region by the government in respect of developmental schemes and other benefits.

Questions provide the legislature with an opportunity to control the actions of the executive. They are regarded as a powerful weapon with which to curb the arbitrary actions of the government and to protect individual rights and liberties. They provide, as has been observed elsewhere, the most important channel for ventilation of grievances.<sup>1</sup> It has been stated that the purpose of questions

... is to elicit concrete information from the administration, to request its intervention, and where necessary to expose abuses and seek redress .... Many questions are of a routine character; but the procedure provides the opposition with a means of discovering the government's weak points and because of the publicity given to them they have a salutary effect on the administration. 2

B.K.Das, the leader of opposition in the first assembly, pointed out that members sometimes put questions to obtain information on public matters with the intention to use such information in debates in the assembly.<sup>3</sup> The idea of course was to deal with the government on the strength of facts and figures supplied and statements made by the government itself. Members at times put questions on matters of which they had knowledge. The reason for asking questions in such cases, it was pointed out, was to make the government publicly state its position or to influence the government to take a certain course

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1. Morris-Jones, Parliament, p. 317.

2. Inter-Parliamentary Union, Parliaments (2nd ed.; London: Cassell & Company Ltd., 1966), p. 294.

3. EBLAP, vol. IV, no. 5, p. 115.

of action. In case of the latter, it was said, members might even withdraw their questions if the government gave adequate assurances in private.<sup>1</sup> Thus the main purpose of asking questions was to draw the attention of the government to a particular matter with a view to influencing its actions and decisions. It is difficult to assess conclusively or in concrete terms if the questions had their desired effect; in other words, whether or not the legislature successfully controlled the executive.<sup>2</sup>

Only some general observations may be put forward. Of course no government could be completely insensitive to criticisms or censures on the floor of the House or to demands for actions or redress of grievances put forward by members. The desire, for example, on the part of the government to avoid further criticisms and the need for the ministers to maintain support and co-operation of members ensured that in many cases proper action was taken. There were some instances when members asked in the course of supplementaries if the desired action had been taken by the government upon receipt of their questions. Evidently, it was implied that the government thought it wiser to immediately take the necessary action upon receipt of the question so as to be able to inform the House that 'the matter had been brought to the attention of the government and proper action had been taken'. Failure to comply with a request or redress on a grievance led those members determined to pursue the matter, to put another question or to raise the matter during

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1. For example, see EPAP, vol. XVIII, no. 5, pp.116-7; vol.XX,p.186

2. In this regard, a formal machinery modelled on the Committee on Assurances of the Indian Parliament would have been of some help. On Committee on Assurances in the Parliament in India, see M.N. Kaul and S.L.Shakdher, Practice and Procedure of Parliament (Delhi: Metropolitan Book Co., 1968), pp. 710-3.

budget discussions. However, many questions were answered too late to serve any useful purpose and some were never replied to at all.<sup>1</sup> In a way, this also provides some clue as to the nature and degree of receptivity of the government to criticisms and demands for action.

Tables 9 and 10<sup>2</sup> show that on an average the first assembly dealt with five questions a day during sessions and the second assembly, eight. Any quantitative assessment of their performance, however, must take into account the relative size and length of tenure (or at least, of regular functioning) of the two assemblies as well as the nature of their political composition.<sup>3</sup> A member of the first assembly, to again use an average, asked just about one question a year. Taking into account only the period when it was in regular session, the performance of members of the second assembly appears to be more or less the same.<sup>4</sup> A sessional breakdown would present an even

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1. See pp. 330-33 below.

2. Pp. 320-321 above.

3. It was pointed out (by Nurul Amin, member 1947-54 and chief minister 1948-54 and Yusuf Ali Chowdhury, member 1948-58 and general secretary of EPML 1948-52, in course of interviews with the present writer in April 1969) that as in the first assembly only the Muslim League formed the government and had a relatively large majority, questions which would have otherwise found their way onto the assembly floor were attended to at party level.

M. Korban Ali, deputy chief whip of the Awami League in the second assembly, in a similar interview also spoke of the 'understanding' that naturally prevailed amongst members of the government party to seek information from and bring grievances to the parliamentary party in the first instance.

4. As a matter of fact, however, some 44 and 58 per cent respectively of the members of the first and second assemblies did not ask any question at all. These figures include members who because of their positions in the government and party never asked any question. There were also of course a number of silent members, as in any other legislature, who perhaps were more at ease or performed more effectively behind the scene. Besides, individual style and approach to parliamentary duties might also vary. But it is practically impossible to distinguish a silent from an apathetic member.

more disappointing picture.<sup>1</sup> Compared to other legislatures in Pakistan, the performance of the East Bengal legislature as regards questions appears to have been somewhat discouraging, taking into account the size of the legislatures and the periods under consideration. (See Table 11).

The apparent disregard for this valued privilege is difficult to explain. The degree to which parliamentary opportunities are not used indicates to some extent how far the institution itself is removed from the mainstream of politics. A certain amount of apathy and lack of interest in parliamentary activities on the part of members, also offer some possible explanations. Questions have been described elsewhere as 'the readiest and most effective method of parliamentary control over the actions of the executive'.<sup>2</sup> Speaker Abdul Hakim, in course of a ruling, pointed out that while the other methods of parliamentary control, such as resolutions, adjournment motions, cut-motions on budget etc. 'have to undergo certain formalities before they can come before the House', the special utility of questions lies in the fact that it is the 'most readily available method'.<sup>3</sup> It is in this respect, and particularly

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1. The available Registers on Questions reveal that notices were given for a total of about 2580 questions in the two assemblies. (Registers for three sessions (II-IV) of the first assembly were not available). This would improve the position in the sense that notices for more questions were given than were actually dealt with on the floor.

A total of about 440 notices for questions were disallowed. The Rest represent the questions for which replies were given, questions which were admitted but subsequently withdrawn by members or the secretariat for various reasons, those for which replies were never received from the government departments and questions which were submitted towards the end of the two assemblies and lapsed with dissolution.

2. Comment of the select committee on the Procedure of the House of Commons, as quoted by Herbert Morrison, Government and Parliament (London: Oxford University Press, 1954), p. 216.

3. See EPAP, vol. XVI, no. 6, p. 112.

Table 11

## Questions in other legislatures in Pakistan.

Legislature (1)	Total No. of Seats (2)	Period (3)	No. of working days (4)	No. of questions answered (5)	Daily average of questions (6)
Constituent Assembly (legislature)	79	1948- 54	244	7869	32
National Assembly	80	1956- 58	94	1781	19
North-West Frontier Province	85	Nov. 1953- Mar. 1955	31	1358	44
Punjab	197	Jan. 1948- Mar. 1954	111	3167	29
West Pakistan	310	May 1956- Aug. 1958	80	949	12

(Note: The Table is based on Munir Ahmad, op.cit., pp.8-32, 72-77, 121-36. The first Punjab assembly, which function for only one year, had 103 members.)

in view of the oft-repeated grievances that members were not given sufficient scope to exercise some of their parliamentary rights and privileges, it would appear that members themselves failed to use fully a privilege that was 'readily available'.

However, it was not an altogether docile or inert House that the government faced during Question Hours. A large number of supplementaries were asked.<sup>1</sup> These performed the

1. The following would give some idea. There were no supplementary questions on roughly 27 and 23 per cent of questions put in the first and second assembly, respectively. The Table below refers only to questions on which supplementaries were asked.

No. of supplementaries put	Percentage of Questions	
	First assembly	Second assembly
Between 1-4	47	36
5-9	30	30
10-20	19	26
above 20	4	8

very useful task of drawing out more information and securing more promises of action than the government was initially willing to disclose or undertake. It is difficult to state whether it was a deliberate policy to put down a limited number of questions with a view to making heavy use of supplementaries, - in other words, whether an intensive examination of a limited number was chosen in preference to what was perhaps considered as necessarily superficial treatment of a larger number, but only that members did display a tendency to make as much use of supplementaries as possible. Also of course the tendency on the part of some members to treat the questions at hand as matters of issue and controversy to be settled during the Question Hour and the repeated evasive replies given on occasions by ministers, seem to account for some of the supplementaries put. The fact that questions not disposed of during the Question Hour could be held over for the following day, to some extent tended to encourage the tendency to put many supplementary questions.

Members complained of the inordinate delays in receiving replies to their questions. It was suggested that Speaker should impose a time-limit.<sup>1</sup> The Speaker told the House that under the existing rules he had no authority to do so. He observed, however, that members were justified in asking for answers after the notice period was over and referred to the conventions for indicating the withholding of information within a short time and of giving top priority to questions sent by the assembly. Because 'long silence practically defeats the very object of questions and almost nullifies the very

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1. For examples see EBLAP, vol. IX, no. 1, p. 99; EPAP, vol. XV, no. 3, p. 47; vol. XVI, no. 6, p. 114; vol. XVIII, no. 4, p. 133.



privilege of interpretation itself'.<sup>1</sup> For the proper exercise of a privilege, the participants must feel that the privilege is real and effective. It must have the scope to achieve its purpose. In case of questions, that purpose could not be achieved if replies were not given in time. In many countries there are time-limits, conventional or otherwise, for the executive to answer parliamentary questions. It has been observed.

The fact that time limit exists in most countries means that the Government is obliged to furnish the information asked for, and this obligation, whether based on the constitution, the law, standing orders or established practice, is what gives the procedure of questions its real strength. 2

There were obviously a large number of questions which were prompted by recent occurrences, development of events, administrative actions etc. As members pointed out, many such matters lost their significance by the time the answers were made available. The extent of their frustration could be measured from the following selected instances.

On December 19, 1949, the leader of opposition, in a statement before the House, pointed out that questions submitted in March 1948 had not been answered. The list of pending questions circulated at the start of the session showed the number of such questions accumulated over the sessions to be 189. The leader of the House, in reply, stated that 145 of these questions had been answered in the current session. On February 26, 1951, a member noted that a question answered on that day was put in 1948. 'The delay in answering questions takes away the feeling with which questions are put', he

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1. EBLAP, vol. X, no. 2, p. 298.

2. Inter-Parliamentary Union, op.cit., p. 298.

complained. On October 9, 1952, a member stated on a point of privilege that questions put in 1948, 1949, 1950 and 1951 were being answered on that day. 'Thus', he protested, 'the purpose for which questions are put cannot be achieved'. On two occasions in March 1958, members pointed out that some of the questions then replied had been submitted in 1955. On another occasion, on March 18, 1958, a member remarked that 460 questions were in the pending list. The government assured that replies to 300 of these questions would be given during the current session. The instances of complaints regarding pending questions and delayed answers could of course be multiplied. On most of the occasions the government failed to provide convincing explanations.<sup>1</sup>

Table 12 would give some idea of the time taken by the administration to reply to questions. The Table is based on a three and <sup>a</sup>two year period respectively from the first and second assembly, and takes into account only those questions which were sent to the administration for replies after being admitted by the Speaker, but exclude those which were withdrawn at this stage or were shown as 'under correspondence'. Only about half of the questions over the years appear to have been replied by the government within six months. A significant proportion of questions were answered much later and some were

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1. For examples, see EBLAP, vol. III, no. 3, p. 291; vol. IV, no. 2, p. 32; vol. IV, no. 4, pp. 3, 40; vol. IV, no. 5, pp. 115-9; vol. V, no. 1, pp. 314-5, 336-7; vol. V, no. 2, p. 102; vol. IX, no. 1, p. 99; vol. X, no. 2, pp. 23, 297-8; vol. XI, no. 2, p. 180; EPAP, vol. XVII, no. 1, p. 118; vol. XVII, no. 2, p. 123; vol. XVIII, no. 1, pp. 80, 140, 147-8; vol. XVIII, no. 2, pp. 58, 118; vol. XVIII, no. 4, p. 132; vol. XVIII, no. 5, pp. 116-7. Members also raised the matter in course of budget discussions and voting on demands for grants. For example, see EBLAP, vol. V, no. 1, p. 459; vol. V, no. 2, pp. 120-2; vol. VIII, pp. 112, 129-30.

Table 12

Time taken by the Administration to reply to Questions

Replies sent to the assembly Secretariat  (a)	Approximate per centage of Questions	
	First Assembly (b)	Second Assembly (c)
(1) Within 1 month	17	9
(2) From 1 to 6 months	31	41
(3) From 6 months to 1 year	32	21
(4) From 1 to 2 years	8	10
(5) After 2 years	0.4	1.5
(6) No replies sent at all	12	17

(Note: The Table is based on information obtained from the Registers on Questions. Short notice questions are also included in (1). All figures except those for (5) have been rounded. For information for (6) those questions for which there was no further entry in the Registers after they had been despatched to the administrative departments, were checked with questions appearing in the Official Proceedings.)

never answered at all. This performance has to be judged against the expectations of members, of what they thought was the reasonable time by which answers should reach them for the proper exercise of rights and discharge of duties. For it is vital to note not only what powers they formally had and how much of it they cared to exercise, but also if they felt that their rights were being circumscribed by factors beyond their control. It could be mentioned in this connection that the Draft Rules laid down that the administration must send replies within ten days of receiving questions.

Some of the questions undoubtedly called for detailed statements of facts and figures. There were questions which possibly could not be answered directly by the government secretariat and other offices at the capital, and the information had to be gathered at district, sub-divisional or union levels. But the undue delays indicated above could only be explained by a desire deliberately to avoid uncomfortable matters and a combination of negligence, red-tapism and apathy on the part of the administration.

## 2. Adjournment Motions.

Immediately after the Question Hour and before the list of business for the day was taken up, members could move adjournment motions to discuss 'definite matters of urgent public importance'. Such motions were moved with the consent of the Speaker, if the conditions for admissibility were fulfilled.<sup>1</sup>

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1. The following provisions guided the admissibility of adjournment motions: (1) not more than one such motion shall be made at the same sitting, (2) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence; (3) the motion shall not raise a question of privilege; (4) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given, and (5) the motion must not deal with a matter on which a resolution could not be moved. Also, adjournment motions must relate to matters which are primarily the concern of the Provincial Government. Procedure Rules, Part VII. The Draft Rules did not envisage any change except that adjournment motions could not be raised on matters pending before any statutory tribunal or authority performing any judicial or quasi-judicial functions or any Commission or Court of Enquiry (which, however, was already followed in practice in that adjournment motions could not relate to sub-judice matters), and also lowered the minimum number of members whose support was necessary to obtain leave of the House to move such motions. See, Chapter X. The Draft Rules also provided opportunities for discussing or calling attention to matters of urgent public importance, under Chapters XII and XIII, without the formalities or implications of adjournment motions as such.

If any objection was raised after the short statement of the matter proposed to be discussed by the moving of the adjournment motion was read out on the floor, the Speaker placed the motion for leave of the House. For this the motion had to receive the support of a fixed number of members, as determined by the procedural rules. If the motion obtained leave of the House, it was admitted and the Speaker fixed a convenient day for discussion, usually after the Question Hour. If a debate on adjournment motion was not concluded within two hours, it was automatically terminated at the end of that period.

Adjournment motions were to relate to 'specific matters of recent occurrence'. This was interpreted to mean recent occurrence in point of time to suggest urgency, and not necessarily the earliest opportunity to raise the matter in the legislature.<sup>1</sup> Also, consent was ordinarily refused if during session the earliest opportunity was not availed of to raise the matter.<sup>2</sup> It was held that,

Motions for adjournment are meant for obtaining an immediate debate on grave and serious matter, which cannot otherwise be immediately and effectively dealt with.<sup>3</sup>

There was a tendency to encourage sparing use of adjournment motions. The Speakers generally were unwilling to interrupt the normal business of the House and applied the conditions of admissibility somewhat stringently. Adjournment motions were regarded as 'extra-ordinary procedure by which the normal process

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1. For example, in the first assembly in February 1951, consent was refused to an adjournment motion seeking to raise a debate on the firing in Rajshahi jail in April 1950, even though there was no session of the assembly during the intervening period. See, EBLAP, vol. V, no. 1, pp. 13-8.

2. Ibid., vol. XVI, no. 2, pp. 303-7.

3. Ibid., vol. V, no. 1, p. 17.

of the House is interrupted'.<sup>1</sup> They were discouraged during budget sessions as it was thought that the relevant matters could also be conveniently raised in course of discussion on budget or voting on demands for grants.<sup>2</sup> It was also held that 'an order passed in the ordinary administration of law, whether by a judicial authority or by a magistrate or by any other properly constituted authority, cannot be the subject-matter of an adjournment motion'.<sup>3</sup>

It was maintained that adjournment motions, if passed, were not to be regarded as censure of government or indication of the government's loss of parliamentary confidence, and that hence, they did not call for resignation of the government. The primary purpose was to 'draw attention of the House and of the Ministers and to give the Ministry a chance to justify their action'.<sup>4</sup> Adjournment motions were, nevertheless, regarded as criticisms of the government, and implied failure on the part of the government in its responsibilities. As such, principles of parliamentary government precluded members belonging to the party in power from moving adjournment motions. In the first assembly it became clear from budget session in 1951 that the Muslim League government already faced some Muslim opposition in the House. It was then for the first time that references were made to rejected adjournment motions sought to be moved by members formerly belonging to the Muslim League, some of whom subsequently joined the Awami League when the party was formally formed in the assembly in 1952. Also the policy of the

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1. Ibid., vol. VI, no. 1, p. 17.

2. For example, see, ibid., vol. VIII, p.6; vol. X, no. 1, p.10; EPAP, vol. XV, no. 3, p. 63.

3. EBLAP, vol. VII, p. 13.

4. See, Speaker's comprehensive ruling on adjournment motions, EPAP, vol. XVII, no. 1, pp. 39-41.



Muslim League government in the first assembly seemed to be to avoid the formal moving of adjournment motions in the House by offering to move motions or make statements on behalf of the government (as it did on two occasions in 1948 and 1949), which would allow opportunities to the opposition to fully participate in the ensuing discussion but would basically remove the sense of strictures inherent in the very nature of adjournment motions.

Only two adjournment motions were debated in the first assembly and ten in the second<sup>1</sup>. Thus it would appear that the occasions when the government was asked formally to explain its

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1. For texts of adjournment motions admitted and discussed on the floor, names of movers and their party affiliation, and the fate of these adjournment motions, see, Appendix VIII. The total number of adjournment motions submitted to the assembly secretariat is not known, as records of such motions could not be obtained from the secretariat. However, as has been suggested, a large proportion of adjournment motions were disallowed by the Speaker for failure to conform to conditions of admissibility or the accepted requirements. Information gleaned from the assembly proceedings : in the first assembly, a further 9 adjournment motions received the consent of the Speaker (of these 5 failed to obtain leave of the House on being objected to by the government, 1 was not moved in favour of another adjournment motion with wider scope, the government arranged to move motions in place of 2 adjournment motions, the government objected to 1 as parliamentary opportunity to discuss the matter would shortly be available by the introduction of a piece of legislation); there were references on the floor to a total of 15 more adjournment motions which failed to receive the Speaker's consent. Similarly, in the second assembly, 3 more motions received consent of the Speaker (2 of which were not moved in favour of another with a more comprehensive scope and 1 was withdrawn on the chief minister's saying that due to certain developments the motion had been rendered unnecessary). There were references on the floor to a total of 22 adjournment motions which were considered inadmissible by the Speaker.

actions through motions specifically moved for the purpose, were very few indeed. Partly, the reasons lay in the nature and the limited scope of adjournment motions. Also, it may be pointed out that, apart from those actually moved and discussed, in fact the government was at times drawn into some discussions which members occasionally sought to raise on the floor by referring to their rejected adjournment motions and claiming that they ought to be moved, and also at some length in case of those adjournment motions which received the consent of the Speaker but which the government thought fit to oppose.

Four of the ten adjournment motions debated in the second assembly related to food - scarcity and rising prices. However, this pre-occupation with food problems was not typical of the second assembly alone. Available information on those adjournment motions in the first assembly which did not actually come up for discussion, suggest that the first assembly was also equally concerned with problems relating to food. This emphasised that scarcity of some food stuffs and rising prices remained a constant feature of the province's economy and that the successive governments failed to deal effectively with these problems.

In a way, adjournment motions could be used as an index to the important political developments or pressing needs of the time, and to indicate the particular concerns of members at various points. A detail account of all adjournment motions submitted by members of the two assemblies, would have enabled a thorough and worthwhile analysis, had they been available. However, those adjournment motions which actually were debated in the House (and the full texts of only these are available), would throw some light on the matter. For example,

the adjournment motion of J.N.Bhadra could be said to have foreshadowed the growing tensions in the late 1949 and early 1950, when communal disturbances took place in both India and East Bengal. Fall in the price of jute in 1952, floods in 1955, food in 1956-57 were all matters of serious and widespread concern at the time. The adjournment motion on 'operation closed-door' in 1958 reflected the concern particularly of the minority community. The two motions on union board election and law and order in 1958 showed the members' increasing interest in political activities in connection with the approaching general election, which was expected to have been held at the end of 1958 or the beginning of 1959. The latter adjournment motion also threw some light on party politics in the assembly - for example, the KSP making a common cause with the Mondal-led SCF in opposition to the government coalition partner, SCF led by Bala; it also showed the complete disunity in the SCF ranks.

The two adjournment motions in the first assembly which were debated on the floor were both talked out, in other words, terminated before the debate itself came to a close or any opinion passed. The emphasis was on threadbare discussion of the government's inadequacies or shortcomings and the extraction of some assurances from the government. In the second assembly, there was always some understandable excitement with regard to adjournment motions and some temptation to use them as convenient handles to prove the vulnerability of the government's strength on the floor.

### 3. Legislation.

Legislative procedure involved several distinct stages in the House.<sup>1</sup> The first stage was 'introduction' when the member-in-charge of the bill, usually the minister of the department concerned in the case of a government bill, moved for leave to introduce it in the House. If any objection was raised, the Speaker after allowing brief explanatory statements from the mover as well as the member who opposed the bill, put the question before the House. Objection, however, was rarely raised at this stage.<sup>2</sup> When the motion for leave to introduce a bill was carried or no objection was raised, the secretary read the short title and the bill was deemed to be introduced in the House. Unless the bill was already published, it was then published in the gazette. The next stage was 'consideration' of the bill, provided the prescribed notice-period was completed. The Speaker, however, had power to suspend the provision regarding notice-period, and allow a bill to be moved for consideration at shorter notice. Only the principles or general features could be discussed at this stage. The member in charge of the bill

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1. As to the origin of government bill before it came to the House, Azad Ali (see, p. 313 footnote 1) who was in charge of bills section in the assembly secretariat, gave the following brief outline (to the present writer in course of interview in April, 1969): Decisions for bills rested with the cabinet and the department concerned, as the case might be. Necessary materials were then given to the law department for drafting. After the department concerned approved of the draft bill, it was taken up for placing before the House. Problems of drafting were a major difficulty in case of private members' bills.
  2. There were only about two instances, both private members' bills in the second assembly, when the introduction motion was put to the House, and negatived; in one case only objection was formally raised and some discussion followed. See, EPAP, vol. XV, no. 3, pp. 128-30.

could move to refer it to a committee of the whole House or a select committee or to circulate it for eliciting public opinion, under the rules. Such motions could also be moved by members as amendments to substantive motion. However, there was practically no instance when a bill was referred to a committee of the whole House. A motion to circulate a bill, when moved as an amendment to a substantive motion, was usually regarded as 'dilatory motion'.<sup>1</sup> Select committees consisted of not more than 17 members representing the various parties and were chaired by the minister-in-charge of the department. Selection of members for the committees was usually processed by the mover of the motion with the help of whips of the various parties or by the mover himself through direct approach. It was held that members' names could not be proposed for select committee without prior consent; however, as the Speaker pointed out, parliamentary conventions demanded that such consent would not be refused.<sup>2</sup> After the motion for consideration was carried (or, after presentation of report by select committee, as the case might be) the provisions of the bills (or, as reported by the committee) were taken up for consideration, moving clause by clause if necessary. Members now could discuss the individual clauses and move amendments provided they were found admissible.<sup>3</sup> After the clauses were thus passed

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1. Parliamentary Conventions, p. 4.

2. See, for instance, EBLAP, vol. IX, no.1, pp.314-8; vol.IX, no. 2, pp. 76-7.

3. Amendments submitted by members were classified and consolidated by the assembly secretariat. The attention of the Speaker was drawn to amendments which were found inadmissible under the rules. It was, however, up to the Speaker to decide whether or not to concur with the views thus presented. All the proposed amendments were put on the order paper of the day, and the Speaker decided their admissibility on the floor.

The above is based on interview of the present writer with Azad Ali (see, p.339 fn. 1 above). The List of Business for a day mainly devoted to legislative business, is appended. See, Appendix IX.

along with schedules, if any, and the short title and preamble of the bill, the member-in-charge of the bill then moved that the bill, as settled in the assembly, be passed. On occasions, some debate was sought to be raised at this 'third-reading' stage, but such moves were usually discouraged. The opposition could, of course, oppose the passing of the bill. But in any event, the discussion was to be confined only to general principles. The bill, after it was finally passed by the House, was signed by the Speaker and sent to the Governor for his assent. If assented to, it was published in the gazette as an Act of the East Bengal legislature.<sup>1</sup>

Except for the budget and the question hour, legislation was a primary preoccupation of the legislature. But in this the two assemblies showed a significant divergence. The Chart below gives a rough approximation of distribution of the legislatures' attention to its various business. The Chart shows the rather startling difference between the two legislatures with regard to legislation. The budget claimed a disproportionate amount of the time and attention of the second assembly, largely, it would appear, at the expense of legislative business.<sup>2</sup> Unlike the pattern of the first

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1. The Governor could give his assent to a bill, withhold his assent, reserve a bill for the consideration of the Head of State, or, except for money bills, return it for reconsideration to the legislature. For an example of a case when the Governor sent back a bill, which he had reserved for the consideration of the Governor-General, to the legislature for reconsideration on the latter's directive, see EBLAP, vol.III no.1, pp.28-30; vol. III, no. 2, pp.18-21.

For details of provisions regarding legislation, see Procedure Rules, Part V. The Draft Rules did not propose any significant change except the somewhat drastic reduction in the length of the notice period, a wise admission, no doubt, of the fact that in both assemblies, the relatively lengthy notice period as prescribed by the existing rules, was not adhered to. For details, see Chapter XV.

2. It may be pointed out here that the Appropriation and Finance bills, presented after consideration of the budget, were placed under 'legislation' and designated 'government bills' in the official proceedings. But these have been counted for 'budget' in the Chart below. These were really



Chart 2 : Percentage distribution of the legislatures' time.<sup>1</sup>

	First Assembly	Second Assembly
1. Legislation	38	10
2. Budget	30	43
3. Questions	22	26
4. Adjournment motions	2	6
5. Resolutions, Motions etc.	4	3
6. Points of order, information, personal explanation, including Speaker's rulings thereon, if any	2	7
7. Other matters.	2	5
	100	100

assembly when the autumn sessions were ear-marked for legislative business, the session in September 1956, when the second assembly met for regular session for the first time, was mainly

extensions of budget discussions. A considerable time in the second assembly was spent on such bills which were of special significance because of the political and party composition obtaining in the House.

1. All figures are in percentage, with fractional figures rounded to the nearest whole number. The Chart, it must be emphasised, might not adequately reflect the proportions. Exact quantification in terms of time spent, is not possible as the official proceedings recorded only the times of commencement and adjournment of daily sittings and the brief adjournments, mainly for prayers, during sittings. Therefore, the only though no doubt less satisfactory alternative was to attempt to quantify by 'counting pages' of the official proceedings. Consequently, there have been some obvious shortcomings. For example, it is felt that the proportion for questions in both assemblies has been somewhat inflated, because the prints in these pages (and in others, wherever straight 'conversation' took place) were generally slightly more widely spaced than in the rest; also, printed replies to unstarred questions were taken as read. In ignoring matters which covered less than half a page, the proportions of items 6 and 7 have in fact been reduced in the Chart, to some extent. The last session of the second assembly has not been taken into account as no official record was published.

devoted to passing the budget for the remainder of the financial year. During the budget session in 1957, consideration of the budget again received priority. The autumn session in that year was a brief and hasty affair. In 1958, the government was unable to complete its budgetary business in March-April; the session in June called for the completion of the budget, was mainly spent in various political moves. Thus, legislation failed to receive sufficient attention of the House. Nearly 30 bills, it may be noted here, remained at the 'introduction' stage.

Apart from the few private members' bills in the second assembly, legislation was exclusively a government business. The first assembly passed a total of 144 bills. Eight more bills were introduced in the House but had not completed the various procedural stages at the time of dissolution. For example, in 1951 select committee report on one bill, the East Bengal Fish Traders Licensing Bill, which had evoked considerable criticisms from the opposition as well as government back-benches when it was moved for referring to select committee, was never taken up for consideration. Select committee report on a second bill, the East Bengal Secondary Education Bill, was not taken up for consideration because of shortage of time, it was stated. The East Bengal Expiring Laws Bill which was in fact a collection of ordinances, continued to incorporate the original ordinance on Secondary Education. The Public Safety Ordinance was introduced in the form of a bill during the autumn session of 1952. But finally the government decided to continue the original ordinance in the Expiring Laws Bill, maintaining that the programme would not accommodate the amount of time needed by the opposition for passing the proposed bill!

It was an unpopular measure, one on which the opposition apparently stood on stronger grounds. The advantage of Expiring Laws Bill was that it was a legislation by reference and individual provisions were not subject to discussion or amendment. The Bengal Mohammedan Marriages and Divorce Registration (East Bengal Amendment) Bill, introduced during the last session of the assembly, was criticised as restricting women's rights of divorce and second marriage. Considerable interest was taken by women outside the House. The minister-in-charge appreciated that 'a large number of our honourable sisters are present in the gallery'. The government finally decided not to proceed with the bill because, it was stated, the various women's organisations had requested for time to study the bill. Three bills remained at 'introduction' stage and one in select committee, when the assembly concluded its last session.<sup>1</sup>

On some 50 of the bills passed by the first assembly, there was absolutely no debate, while about another 20 received only brief discussions. These were mostly necessitated, initially, by the need for adjustments, adaptations etc. arising out of partition in 1947, and extension of the jurisdiction of existing laws to the district of Sylhet, which previously as part of the Assam province was administered by Assam laws. Most of these bills were of non-controversial nature or were simply amendment bills without much scope for differences of opinion or discussion.<sup>2</sup> Practically none of these bills went through

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1. The above on unfinished bills is based on EBLAP, vol.V, no.1; vol. VI, nos. 1 and 2; vol. IX, nos. 1 and 2; vol. X, no. 1; vol. XI, nos. 1 and 2.
  2. In fact, mostly these bills were very short. More than 50 had only 5 clauses or less (about 25 of these had 2 clauses only), and 12 bills had between 6 to 10 clauses. There was 1 bill with 11, 2 with 17 and 1 with 21 clauses. The last bill, the East Bengal Evacuees (Administration of Immovable Property) Bill 1951, incorporated the relevant provisions of the Delhi Agreement of 1950, between the prime ministers of India and Pakistan, with similar legislation by West Bengal and Assam in India. See, *ibid.*, vol. V, no. 2, p. 63.

select committees and amendments mostly came from the government, usually moved by parliamentary secretaries - perhaps due to later scrutiny or consideration after publication of bills, and accepted forthwith by the ministers in charge of the bills.

The second assembly passed a total of 68 bills, of which 2 were private members' bills.<sup>1</sup> Two more bills, including a private members' bill, appeared not to have received the assent of the Governor. Further, a total of about 30 bills, 2 of them private members bills, remained at the introduction stage. Select committee reports on two more bills remained before the House for consideration. The main reason appears to have been lack of time, mainly due to its preoccupation with budget and various other matters.

Almost half of the bills passed by the second assembly received little or no discussion in the House.<sup>2</sup> Mostly these were non-controversial in nature or ordinary amendment bills with no need or demand for debate. In some cases, the scope for discussion was apparently reduced by referring these bills to select committees. There were however some genuine complaints that the government resorted to hasty legislation.<sup>3</sup>

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1. Another private members' bill passed by the House lapsed as it failed to receive the Governor's assent in time. The government, however, later passed a similar bill with somewhat wider scope. EPAP, vol. XVI, no. 6, pp. 119-33; vol. XX, pp. 70-3.
  2. Of course a large number of these were small bills. About 20 had 5 clauses or less, though several were relatively lengthy.
  3. On one occasion, for example, when during the course of a day's sitting the government proceeded to move the eleventh bill for consideration and passing, most of the opposition members walked out in protest. The government passed 9 more bills. It was, however, put forward that some of these bills had to be passed as the relevant ordinances were to expire shortly. Ibid., vol. XVI, no. 2, pp. 28-55.

The government was responsible for administration and policy formulation. There was little scope, therefore, for ordinary members or opposition parties to bring about any major alteration in the content or objective of bills proposed by the government.<sup>1</sup> During the actual legislative process, their contribution was often limited, at the most, to some amendments which the government might have found acceptable, or some such modifications at committee stage. Of course, on some rare occasions, the opposition or the government back-benchers were able to influence the course or contents of some bills. But their most important contribution lay in the scrutiny of bills, to see if the government misused or usurped powers, to examine if the proposed bills were designed to fulfil their professed objectives, and so on, - in short, in 'informed discussions'. Besides, the opposition could put forward its planned suggestions, or employ various techniques to focus attention or block certain legislation it considered undesirable.<sup>2</sup> An atmosphere of debate

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1. Before the bills were considered in the House, the government party/coalition got opportunity to have some discussions and suggest amendments. (See, EBLAP, vol. V, no. 1, p. 172; vol. X, no. 2, p. 259). This has been borne out by interviews of the present writer with some members of the legislature. It was generally maintained that particularly in case of important legislation, the government dealt with opposition or suggestion from the party at this stage. Serious differences within coalitions were usually sought to be resolved at leaders' levels. The nature of whips depended on the significance of the bills. The oppositions' influence was less direct. Usually, proposed amendments or lines of action etc. were discussed at their parliamentary party meetings, the degree of concerted approach depending upon the homogeneity of opposition forces or the nature of proposed legislation. The above is based upon interviews during April 1969 with: Nurul Amin, Monoranjan Dhar, Abul Mansur Ahmad, B.C. Nandy, M. Korban Ali, Rasaraj Mondal, S.A. Huq and Sheikh Mujibur Rahman.
  2. For examples, on one occasion in the first assembly the opposition spent three and a half hours on one clause of the Expiring Laws Bill incorporating the Public Safety Ordinance. In case of another bill, with only 9 clauses, the opposition moved more than 50 amendments. See, ibid., vol. VI, no. 1, p. 146; no. 2, pp. 159-79.

and exchange of views depended on the government's willingness to permit such discussions and upon the members' insistence on the exercise of this right and their determination to use it to advantage. Judged from this viewpoint, the two assemblies present some significant contrasts. In both assemblies, there were complaints of inadequate notices for bills and opportunities to submit or discuss amendments. There were, in fact, occasions when Speakers of the two assemblies expressed their disapproval of hasty legislation.<sup>1</sup> On the whole however, the first assembly could be said to have maintained that atmosphere of debate and discussion. But there were some serious limitations. The nature of the party system and composition of the opposition, the accumulation of vacant seats, the obvious reluctance of government to renew their mandate through general elections (which must become noticeable from 1951 at least), the government's continued use of what were described as repressive measures through ordinances such as Special Powers and Public Safety ordinances - all these lent a certain degree of futility to the discussions and some amount of unreality to the debating atmosphere.

The second Assembly, on the other hand, had a fresh popular mandate, so to speak; moreover, the government was willing to periodically test their strength through by-elections.<sup>2</sup> The political divisions did not rigidly follow religious lines as in the first assembly and the prospects of alternative government were real. There was indication that the government was willing to dispense with repressive measures - it repealed

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1. Ibid., vol. II, p. 16; vol. V, no.1, pp.20-1; vol. VI, no.1, p. 49; EPAP, vol. XVI, no. 1, pp. 19-21, 109-112; vol. XVII, no. 1, pp.27, 118-23.

2. The period from March 1954 to August 1956, must be left out from this present assessment for obvious reasons.



the Public Safety Act in 1956. But, on the whole, the proceedings of the second assembly were marked by an amazing lack of informed discussions. Only on some few instances were there the relatively thorough debates which characterised the first assembly. Perhaps the reasons lay in the nature of political developments and composition in the assembly. It must be noted, of course, that the fifteen months of "parliamentary" government without the aid of the legislature during 1955-56 under the UF coalition, admittedly resulted in a heavy pressure of work in the legislature for the successor government, - and hence some degree of inadequate treatment to the consideration of legislations. The uncertain nature of alignments also dictated the government to opt for short sessions and hurried, insufficient deliberations. There was also a tendency on the part of members to make 'political capital' of the short time allotted for passing bills, rather than to make the best use of available time. Besides, in contrast to the first assembly, members' attention was considerably drawn to various political activities (as distinguished from purely parliamentary activities). There was also a noticeable tendency to speak on budgets - an exercise, apart from other things, with prospects for good political dividends; besides, participation in debates during legislations presupposed some previous study and some amount of preparation undertaken beforehand, whereas, generally, speaking on budgets had three easy and convenient ingredients - some amount of public-meeting style sentiments, criticisms or denunciations of government actions or policies (by opposition, a general tone of appreciation by government supporters), and the putting forward of some constituency, district or regional claims.

The most important measure passed by the first assembly was the State Acquisition and Tenancy Act of 1951.

In the words of the mover of the bill, it sought to bring about 'a veritable revolution in socio-economic structure by making the tiller of the soil ... master of his own destiny by installing him in the ownership of the land he cultivates'.

The existing system of land tenure which was the outcome of the Permanent Settlement of 1793, was regarded as a social and economic evil. The matter had been examined by a Land Revenue Commission headed by Sir Francis Floud, in undivided Bengal. The Commission had recommended, in their report submitted in 1940, the replacement of permanent settlement and zamindari system by a 'raiya-twari system under which the Government would be brought into direct relation with the actual cultivators by the acquisition of all superior interests in agricultural lands'. The Bengal Administrative Enquiry Committee of 1944 also urged the acceptance of the Commission's recommendations. In 1943, the ministry in Bengal had accepted the policy as recommended, but a bill to this end was only introduced in the Bengal Legislative Assembly in 1947.<sup>1</sup> In August 1947, the bill was still at committee stage.<sup>2</sup>

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1. Fazul Huq, chief minister of Bengal after 1937 election till July 1943, was associated with several welfare measures during this period. But he did not seem to have pursued this particular measure with the earnestness that it deserved. His thoughts on the problem, favouring abolition, are recorded in Bengal Today, a collection of four statements by Huq, presumably published in 1944. The work unfortunately is not well-edited and does not indicate the date of the relevant statement (though it would appear to be late 1942 or early 1943) nor the circumstances in which it was made. The statement is also to be found in a booklet, Abolition of Permanent Settlement, A.K.Fazlul Huq's Tentative Proposals. Bengal Today and the booklet were made available to the present writer by Faizul Huq, son of A.K.Fazlul Huq.
  2. The above background is from the speech of the revenue minister moving for referring the bill to a special committee. See, EBLAP, vol. 1. no. 4, pp. 87-96.

The East Bengal government in introducing the bill during the first session of the East Bengal Assembly in 1948, claimed that it was thus redeeming the pledge of the Muslim League party for zamindari abolition in the 1946 election and earlier. It was hinted, however, by some erstwhile members of the Proja party, now in the League, that in fact the League had been lukewarm in its stand and it was the Proja party and subsequently the KPP which, as champions of tenants' rights, had been ardent advocates of the abolition of the system.

There were some differences within the League. One section along with the few Muslim dissidents was critical of the proposed bill as containing some loopholes which would greatly defeat the purpose. There was also opinion against compensation for the acquiring of rent-receiving interests. At the other end were members, evidently with land-holding interests, who complained that the rate of compensation provided was not adequate. The PNC was at one with the government so far as the objective, it was maintained; they had long held the view that the tillers of the soil were the real owners. But in supporting the abolition of zamindari in East Bengal, the PNC had in fact to prescribe for the virtual annihilation of a politically and economically powerful class the top layers of which were almost exclusively Hindu.<sup>1</sup> Their strategy in the assembly was therefore, briefly, two-pronged - demanding the effective abolition of all intermediary rent-receiving interests -

1. 'Out of 2,237 of the large landholders in the Landholder's Constituency at the time of Partition, only 358 were Muslims. Eighty out of the 89 estates with an annual income of over Rs. 100,000 and 122 out of 137 estates earning between Rs. 50,000 and Rs.100,000 annually were owned by Hindus'. - Richard D. Lambert 'Factors in Bengali Regionalism in Pakistan', op.cit., p. 52.

Muslims formed a large proportion of 'jotdars' and 'talukdars',<sup>1</sup> and urging for higher rate and better term of compensation.

The bill was introduced in the House on April 7, 1948 and referred to a special committee of 45 members, with the powers and standing of a select committee. This unusually large committee was proposed by the Minister in view of the nature and significance of the bill. The committee had 51 sittings in all and submitted its report with some modifications of the original bill, on November 14, 1949. Consideration of the bill as reported by the committee, was taken up from the following day. The ML was generally able to maintain discipline in its ranks. There was some grumbling, however, that the ceiling of land-holding and the rate of compensation provided were somewhat generous, - as, on the other hand, some dissatisfaction voiced as to their inadequacy. The minister reminded a member that he was speaking against the party decision and urged government party members to withdraw their amendments which had not been accepted in the party meetings. Except on these clauses, the members generally refrained from taking part on the floor. In reply to the leader of opposition's comment that the discussion was being carried on solely by the opposition, it was pointed out that government party members already discussed their viewpoints in party meetings. The opposition at times was accused of resorting to dilatory tactics. There were notices of more than 600 amendments; in addition, there were many short-notice amendments. Several opposition amendments were accepted by the government. The leader of opposition pointed out

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1. The Scheduled Caste members, very few of whom took part, were roughly divided according to their political affiliation between PNC and SCF supporting the government.

that those accepted were of minor importance. Consideration of the bill was completed on February 15, 1950 and the third reading on February 16.<sup>1</sup> The bill was reserved for obtaining the assent of the Governor-General, which was first published in May 1951.<sup>2</sup>

As a result of the enactment of this measure, it has been observed, 'the social base of political power virtually shifted from the landowning group to the politically sophisticated group of lawyers and professionals'.<sup>3</sup> However, during the period under study, any decisive change in political leadership composition in terms of representation in the legislative institution was not apparent. The available data on occupational groups in the first and second assemblies is

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1. The House had a long adjournment from December 20, 1949 till February 6, 1950. On that day, the opposition walked out in protest against what was described as 'government attitude' against their adjournment motions on some law and order situations which, the opposition claimed, had communal aspects. They did not take any more part and the remaining clauses with some government amendments were passed without much discussion. The bill was under consideration for a total of 34 days; on 4 of these days there were also other legislative business on the agenda.
  2. The above is based on EBLAP, vol. I, no. 4; vol. IV, nos. 1-6. For the Act, see the East Bengal State Acquisition and Tenancy Act, 1950 (Legislative Department, Govt. of East Bengal, 1951). There were some subsequent amendments. For the Act as amended, see Code, pp. 177-296. For an idea of the implementation etc. of the Act, see EBLAP, vol. VIII, p. 190; vol. IX, no. 2, pp. 342-7; vol. X, no. 1, pp. 74, 223-4; EPAP, vol. XV, no. 2, pp. 6, 140-1; vol. XV, no. 3, pp. 251-88; vol. XVI, no. 4, pp. 17-8; vol. XVII, no. 2, pp. 85-92; Gazetteer of the Dacca District, Chap. XII, pp. 12-7; Report of the Land Revenue Commission (Revenue Department, Govt. of East Pakistan), July 1959, Chap. II and III.
  3. Area Handbook for Pakistan, p. 271.

limited and inconclusive.<sup>1</sup> Besides the Act was not fully implemented before the 1954 election took place.<sup>2</sup> Perhaps, the change, in political terms, could not also be expected to be immediate and sudden. Generations of land-holding ensured entrenched positions of leadership and influence which were not likely to disappear forthwith with the introduction of such a measure.

Ordinances, promulgated when the legislature was not in session, had the force of law.<sup>3</sup> But as soon as the legislature re-assembled, they were laid before the House and ceased to operate if the House passed motions expressing disapproval. In fact, however, the opposition's attempts on several occasions to move such motions proved unsuccessful.<sup>4</sup> If not already disapproved, the ordinances ceased to operate at the expiry of six weeks from the date of the re-assembly of the legislature. Usually, when the government felt the need to continue a certain measure as embodied in an ordinance, a bill in similar lines was placed before the House and passed before the expiry of the six-week period. There was some dissatisfaction that the government tended to bring in legislation through the 'back-door' of ordinances so as to deprive the House of the opportunity of thorough discussion. Such explanations as 'shortage of time and the likelihood of legal and administrative vacuum through

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1. The available data indicate a relatively substantial drop in the land/zamindari occupational category in the second assembly elected in 1954. But in view of the nature and size of the data, it is difficult to ascertain if this was indeed an overall feature. See, Table 18 p. 401 below.
  2. It has been observed that by 1956-57, East Pakistan 'came to be freed from the feudal grip'. T. Maniruzzaman, 'Group Interests in Pakistan Politics, 1947-1958', Pacific Affairs, vol. XXXIX, 1966, p. 84.
  3. For provisions regarding ordinances under section 88 of the Govt of India Act 1935 as adapted, see EBLAP, vol. V, no. 1, p. 115, and under the 1956 Constitution, see article 102 of the constitution.
  4. E.g. see EBLAP, vol. VI, no. 1, pp. 20-1; no. 2, pp. 13-15, 337-43; vol. XI, no. 1, pp. 52-6; EPAP, vol. XVIII, no. 1, pp. 49-57.



the possible lapse of an ordinance in case the relevant legislation was not enacted in time, etc. could be used effectively to facilitate a hurried passage for such bill. The life of ordinances was also extended, particularly in the first assembly, by incorporating ordinances in single or omnibus bills and getting them passed by the House.<sup>1</sup> The government justified this on the ground that the relevant legislative bills were under preparation and/or the already heavy legislative programme before the House. The detail provisions of ordinances in such bills were not subject to discussion or amendments and they virtually amounted to 'legislation by reference'.<sup>2</sup> The leader of opposition was critical of the government,

In the matter of passing legislation they care very little about the rights of the Assembly. They ... promulgate Ordinances on very many vital matters, on the plea of emergencies and offering the justification that the Assembly is not in session for passing legislation. Ordinances are now, therefore, galore throttling liberty of expression, curtailing civil rights of the people by Government in ruthless manner in many respects. They go on ruling by Ordinances and for continuation of that rule they summon the Assembly to extend the life of these Ordinances in the shape of an Act and that by dubious methods.<sup>3</sup>

The Speaker also drew to the attention of the government that 'legislation by ordinance' was an 'unhealthy practice'.<sup>4</sup>

The government justified promulgation of ordinances on grounds

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1. Such acts had limited period of validity and, in case the government was unable to have the ordinance/ordinances replaced by proper legislation, had to be placed again before the House at the expiry of the period for passing.
2. See, EBLAP, vol.I, no. 1, p. 45; vol. III, no.1, p.85; vol.IV, no.6, p. 133; vol. VI, no.2, pp.21,84.
3. Ibid., vol. VIII, p. 83.
4. For example, see ibid., vol. IV, no.1, p.48; vol. V, no.1, p. 104.

of emergencies and sudden administrative necessities, and was also able to claim that in a fairly large number of instances ordinances had been replaced by full-fledged legislations despite the time taken for preparation of relevant bills and some heavy pressure of work in the assembly.<sup>1</sup> However, there were several ordinances which, it would appear, the government was unwilling to submit to the legislature for thorough consideration, and instead continued them in the form of reference legislation for a number of years. The most notorious of these were the Special Powers Ordinance in the omnibus East Bengal Ordinances Temporary Enactment and Re-enactment Act, from 1948 to 1951, and the Public Safety Ordinance in a similar act called the East Bengal Expiring Laws Act from 1951 to 1954.<sup>2</sup> Both gave wide powers of detention without trial to the executive. The opposition complained of misuse, and particularly, of use of the measure against political opponents or critics of the government. The fact that several of the known critics of the government, Hindu as well as Muslim, were at one time or another detained under such ordinances, tended to lend credence to the opposition claim.<sup>3</sup> But the government disagreed. The

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1. For example, see ibid., vol. I, no.1, pp. 42-4; vol. III, no. 1, pp. 88, 92; vol. IV, no. 6, pp. 131-4; vol. V, no. 1, p. 103; vol. VI, no. 2, pp. 18-9; vol. IX, no. 2, p. 62.

2. The Special Powers Ordinance was first promulgated in undivided Bengal. In February 1951, the High Court, on Habeas Corpus applications from certain security prisoners, delivered that extensions of the ordinance after September 1949 were ultra-vires. Those held till then under the ordinance were 're-arrested and detained' under Regulation 1818. The Public Safety Ordinance was laid before the House when it met for the winter session in October, and passed as a reference legislation in the Expiring Laws Act. The above is based on EBLAP, vol. V. no.1, pp.313,351-2; vol.V, no.2, pp.128-9; vol. VI, no. 2, pp. 35-53.

3. For example, see ibid., vol. V, no.1, pp. 110, 123, 136.

chief minister stated,

Now, Sir, it has been said that the security prisoners are detained for political reasons. ... If there is any reason - and if that can be called political - it is political reason against the State. Whenever any person is found guilty against the State, if his activities are judged from that point of view, there is no other alternative but to take recourse to the Special Powers Ordinance .... Persons are detained under the Special Powers Ordinance after Government have carefully examined all the materials and are satisfied that their activities have been prejudicial to the State and their detention is necessary to prevent them from acting in a manner prejudicial to the public safety and the maintenance of public order. 1

However, such measure apparently was extremely resented by those outside government and its abolition was pledged in the UF election manifesto, the 21 Point Programme. The East Bengal Public Safety (Repeal) Act was passed by the second assembly when it met for the first regular session in September 1956 after the AL coalition came to power.<sup>2</sup>

#### 4. Budgets.

Budget - the annual financial statement or the statement of the estimated receipts and expenditure of the province in respect of every financial year - was presented to the assembly on such day in the preceding financial year as appointed by the

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1. Ibid., vol. V, no. 2, p. 128.

2. EPAP, vol. XV, no. 1, pp. 55-6. It has been noted above (see p. 343) that a Public Safety Bill was introduced in the first assembly in October 1952, but was not proceeded with. The Code, however, indicates that a Public Safety Act was framed in 1954. This suggests that it was passed by the Governor in exercise of his legislative powers under section 92A of the Govt. of India Act 1935 as adapted.

Governor. It was dealt with by the assembly in two stages, namely, a general discussion and the voting on demands for grants. In respect of expenditure charged upon the Provincial Consolidated Fund, only a general discussion was permissible, for such expenditure was by its very nature fixed and unalterable.<sup>1</sup> Expenditure other than that charged upon the Provincial Consolidated Fund was subject to voting in the assembly in the form of demands for grants, and thus theoretically, to alterations or rejection.

Budgets were usually placed before the House in February-March at the end of one financial year, for the new year beginning in April. In 1956, when the UF government prepared to present the budget in May, the opposition successfully argued that this was unduly late from the point of view of constitutional propriety and elicited a favourable ruling from the Speaker refusing permission to the finance minister to present the budget before the House. Subsequently the government was unable to muster a majority to pass the budget. Ultimately, a budget for the remainder of the financial year was presented in September after the AL coalition assumed office. In fact, during the tenure of the second assembly, the only budget which was presented and passed in regular fashion, was in March 1957 for the financial year 1957-58. In 1958, the budget presented in March was not fully passed before September.

On the appointed day, the finance minister presented the budget, or more precisely, read his budget speech. It generally outlined the province's financial position, economic progress, developmental projects etc., indicated the goal for

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1. For items of expenditure charged upon the Provincial Consolidated Fund, see Constitution, 1956, article 97; for expenditure charged upon the revenues of the province under section 78 of the Govt. of India Act, 1935 as adapted, see Unrepealed Constitutional Legislation.

the ensuing financial year and also showed the estimated receipts and expenditure etc. under various heads. Members were also supplied with the details of provisions and figures in an explanatory memorandum (referred to colloquially by members as the 'red book'). The House generally adjourned after

presentation of the budget.<sup>1</sup> The procedural rules provided that the general discussion was not to start less than three days following the presentation of the budget. This was to enable members to study the budget, though the assembly continued to meet during the intervening period and transacted legislative and other business.<sup>2</sup> During the general discussion, which was to last not more than four days, 'the budget as a whole or any question of principle therein' was discussed by members. The debate usually was initiated by a leading member from the opposition, and the finance minister had a general right to reply at the end of discussion. Motions for demands for grants were moved as prescribed by respective ministers in charge of the departments of government. Members at this stage could move motions for reduction of grant. Such motions were usually in the nature of 'token cuts' and sought to raise discussion of a specific matter.<sup>3</sup> The procedure at this stage varied, depending upon the preferences of the ministers concerned, the opinion of the House or the Speaker's decision

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1. The presentation of the budget was usually followed by a brief supplementary estimate for the current financial year.
  2. There were occasional complaints from members that heavy agenda on such days prevented them from devoting full attention to a study of the budget. Perhaps, with this in mind, the Rules Committee laid down in the Draft Rules that there was to be no sitting of the House between the presentation of the budget and the general discussion.
  3. 'It is desirable that every member restrict himself to one grievance in each cut-motion so that the House may be able to discuss and vote upon that one issue', the Speaker observed. See, EBLAP, vol. III, no. 2, p. 127.

in view of time and other factors. Ministers moved demands either with or without an explanatory speech.<sup>1</sup> After a demand for grant was thus moved, the cut-motions, if any, were moved either all at a time followed by discussion by movers as well as others, or individually, each followed by some discussion.<sup>2</sup> After the ministers' reply with the necessary explanations and assurances, in some cases the cut-motions were withdrawn, some were put to the House while a few were in fact pressed to a division. After the cut-motions were thus disposed of, the demand for grant was put to the House and passed. On the last day allotted for the moving of demands for grants, guillotine was applied an hour before the scheduled time of adjournment and those demands not yet moved and passed were then moved and put without any discussion. Under the Govt. of India Act 1935 as adapted, the budgetary procedure was completed when the authenticated schedule of expenditure was laid before the House duly authenticated by the Governor. No discussion took place on the authenticated schedule. The constitution of 1956, however, envisaged some changes. The authenticated schedule of expenditure was replaced by an appropriation bill. But no amendment could be moved which had 'the effect of varying the amount or altering the destination' of any grant.<sup>3</sup> The new procedure was adopted under the constitution from the budget session of 1957.

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1. A point of order was raised in the second assembly whether it was permissible for a minister to move a demand for grant without an accompanying speech. EPAP, vol.XV, no.2, pp.89-93.
  2. As opposition in the second assembly consisted of a number of parties and groups, usually a very large number of cut-motions were submitted and moved. As a result, except on occasions when the opposition coordinated their moves and decided to concentrate on a few selected cut-motions, there was hardly any scope for debate and discussion within the allotted time after the cut-motions were moved on the floor.
  3. Constitution, 1956, article 99(2).



There was also provision for a supplementary budget which was presented when the expenditure exceeded the estimate. The procedure was similar to a general budget except that a supplementary budget was presented towards the end of a financial year.<sup>1</sup> Discussions of policies or principles were discouraged at this stage as these had been already accepted by the House earlier.<sup>2</sup> Except on rare occasions, no general discussion was held on supplementary estimates in the first assembly, while in the second assembly a general discussion was a common feature followed by relatively hasty treatment of demands for grants. At the end, an authenticated schedule was placed before the House, later replaced under the constitution of 1956 by an appropriation bill.<sup>3</sup>

The constitution also provided for 'on-account' grants - advance grants 'in respect of the estimated expenditure for a part of any financial year pending the completion' of the budget and the passing of the appropriation act.<sup>4</sup> The purpose apparently was to enable the House to discuss the budget at greater length and detail by initially providing for the expenditure for the start of the ensuing financial year.<sup>5</sup> An

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1. See, footnote 1, p.358 above.

2. For example, see EBLAP, vol. III, no. 3, pp. 1-6; EPAP, vol. XVI, no. 3, p. 50; vol. XVII, no. 2, p. 35.

3. For details of provisions and procedure regarding budget, see Govt. of India Act 1935 as adapted, sections 78-82; Constitution, 1956, articles 91-101, and Procedure Rules, Part IX. The Draft Rules, laid down some new procedures and also provided for consequential changes to the budgetary provisions envisaged in the constitution. See, Chapter XVII.

4. Constitution, 1956, article 101(1).

5. EPAP, vol. XVIII, no. 1, pp. 148-57.

'on-account' grant was obtained only once, in 1958, for the first three months of the financial year up to June. It was moved in the form of a consolidated grant with the different items of expenditure incorporated in a schedule. An elaborate discussion was not intended, and in reply to the opposition claim that separate demands for grants were to have been moved instead of a consolidated grant, it was maintained that the point of an 'on-account' grant was 'urgency' and that the budget itself would provide ample scope for discussion and debate.<sup>1</sup>

There was generally a great demand to participate in the budget discussions. It was contended by the opposition, however, that it had a right to a monopoly or at least a greater share of the time devoted to the budget. For, 'the budget has been produced by the party in power and the Hon'ble Minister producing the budget belongs to that party and it is natural on their part to say ditto to what the Hon'ble Finance Minister has produced'. - 'it is the presumption that members sitting in the Treasury Bench(es) are to support the budget'. It was also pointed out that government party members could voice their opinion on the budget in their party meetings.<sup>2</sup> The Speaker maintained that while the opposition enjoyed 'a certain amount of privilege in the matter', members belonging to the government party were also entitled to participate in the

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1. Ibid., vol. XVIII, no. 3, pp. 124-37. Maintaining that the government was in order in moving for a consolidated grant, the Speaker observed - perhaps in a somewhat inaccurate analogy, 'If we remember aright in our college days we took money from our father and we then said that on so many items all told we would require so much.'

2. For example, see EBLAP, vol. III, no. 1, p. 133; EPAP, vol. XV, no. 1, p. 235; vol. XVI, no. 3, p. 34.

budget discussion. He said,

As representatives of their constituencies they have got every right to ventilate the grievances of the people'. 1

Members no doubt were anxious that they should be able to exercise this right, but also that it should be known to the people and, at any rate, their constituencies that they spoke on their behalf. Perhaps this point was made plain by a government party member who said,

Party meetings are held both by the Opposition as well as by the Government Party. But the decisions of those meetings are never published. When a member comes to attend the meeting of the Assembly he has got the same right and privilege to participate in the debate to present the grievances of the people of his constituency. 2

However, government party members could not move cut-motions, as such motion, the Speaker pointed out, 'Tantamounts to a censure motion against the government'.<sup>3</sup> It appears that following the practice of the undivided Bengal legislature, members belonging to government party were entitled to submit cut-motions which were printed along with the rest. This was

1. See EBLAP, vol. III, no. 1, p. 134 and also EPAP, vol. XVIII, no. 3, pp. 66-7. The deputy speaker of the second assembly, however, seemed to have recognised a much restricted role of the government party members in the budget discussion. See, vol. XV, no. 1, p. 235.

2. EBLAP, vol. III, no. 1, p. 134.

3. Ibid., vol. IV, no. 8, p. 48. In the first assembly, cut-motion was moved in 1950 for the first time by a Muslim member Khairat Hossain, who formerly belonged to the ruling party and at the time was described as an 'unattached' member. He had been a supporter of Suhrawardy in the Muslim League party. (See, pp. 82, 101-2 above). During the following budget session, he was joined in moving cut-motions by Mrs. Anwara Khatun, another member of the pro-Suhrawardy faction. They were both members of the Awami League group in the assembly which was formed during the budget session of 1952.

presumably to have their particular views or grievances on record for the benefit of the assembly and the government.<sup>1</sup> They could, of course, take part in the discussions initiated by cut-motions moved from the opposition.

Budgets provided members with the opportunity to ventilate grievances and seek redress, to put up their constituencies' claims and demand for more government attention or allocation of funds in the future. These gave them the opportunity to review the government's policies and actions. These were also the occasions when the government could be censured for the shortcomings of its administration and its officers, - equally, also, when the government could be commended for its performance. Government back-benchers, it may be mentioned here, did not prove to be entirely docile supporters. Many of them criticised the government in fairly strong terms, which was a general feature of almost every budget session.<sup>2</sup>

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1. See, ibid., vol. III, no. 2, pp. 127-8; vol. III, no. 3, p. 80; vol. IV, no. 8, p. 48; vol. V, no. 2, pp. 118, 224. In the second assembly, the Speaker told a member belonging to the government party, who insisted on moving the cut-motions standing in his name but promised to withdraw them after discussion, 'If you like you can cross the floor. You are not entitled to move cut-motions, because you belong to the Government party'. Within 48 hours, the member crossed the floor and moved his cut-motions on the remaining demands for grants! See EPAP, vol. XV, no. 2, pp. 10-1, 184-5.
  2. In the first assembly, for example during the budget session in 1949 the opposition noted with appreciation that many government members criticised the government in stronger terms than the opposition itself. In 1950, government back-benchers amply made up for the silence of the opposition. Serious communal disturbance had taken place that year in East Bengal and India before the budget session took place. The PNC's participation in the budget was confined only to the initiating speech by a lady member of the party, who referred to the 'recent deplorable and harrowing events in the Province' spoke of the 'lingering groans of our afflicted people' and observed, 'our lacerated hearts and conscience repel any idea of ordinarily devoting ourselves to the discussion of this Budget'. Nurul Amin, replying to the general debate on the budget, remarked, 'I feel that whatever happenings took place either on this side or that side, whether it is in East Bengal, in West Bengal or in Assam, our hearts are lacerated for the poor sufferers. So far as we are concerned, we do not make any distinction between sufferers on this side of the

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Party leaders did not seem to expect members to toe the party line during budget discussion (except for vital policy matters and voting on grants or in divisions) and usually a free rein was given. For members, apart from other considerations, these were understandably the only times when they could demonstrate to their constituencies and supporters that they were not negligent in upholding their interests and that they kept a vigilant eye on the government.

However, two particular features of the budget discussions need to be mentioned here: attitudes towards the central government and regional tendencies within East Bengal. As for the assembly's dissatisfaction towards the centre over economic policy, it was certainly the Muslim League government which set the pattern as early as 1948. The first budget speech of the finance minister was not openly critical of the central government but it stressed that the centre must respect and promote the economic interests of the province. The dominant theme of centre-province relations with particular regard to East Pakistan was laid down,

The geographical separation and the difficult means of communication between East and West Pakistan increase the burden of responsibility upon this part of the Dominion in taking initiative in many fields of national activity. The Central Government realises that in the interests of profitable administration greater responsibility will have to be entrusted to this Provincial Government, because too large a measure of centralisation might in the long run prove detrimental to the prosperity of this part of the country. 1

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border or on the other side of the border; sufferers are sufferers and they have our full sympathy although from Mrs. Sen Gupta's speech I only gather that she has expressed only one-sided feeling for the sufferers in East Bengal'. There was a noticeable anti-India and anti-Congress feeling expressed by members of the ruling party. See, EBLAP, vol. IV, nos. 7 and 8.

1. Ibid., vol. 1. no.1, p. 19. The finance minister was Hamidul Huq Chowdhury.

The House was also told that an agreement, the administration of sales tax had been transferred from the province to the centre for a period of two years, ending in March 1950, in return for a fixed amount. This was done, the finance minister explained, 'to help the Dominion Government' - 'to strengthen the Central Government'.<sup>1</sup>

However, the finance minister's budget speech in 1949 was overtly critical of the centre. The government was dissatisfied with its share of the proceeds of jute tax. The minister informed the House that whereas formerly undivided Bengal used to get almost 7 crores of rupees as share of income-tax under statutory arrangement, East Bengal had not received any share out of income tax since independence. With the improved financial position of the centre, there was hardly any need for its retention of sales tax any longer, the minister observed. He went on,

The Central Government should be in a position to continue to let us have all the money that used to be shared by the Centre with us. .... No government can plan ahead unless it can take a long view of its financial resources and that is why it is of utmost importance that financial arrangement now in force under the Govt. of India Act should not be disturbed to the disadvantage of this province .... I have to say this because the Central Government has recently introduced a bill to impose death duty on Agricultural income. If the bill becomes law we are bound to lose substantially in our Agricultural income-tax collection. Provincial Autonomy will have no meaning unless the province can have independent substantial resources of its own.... 2

The finance minister was joined by the chief minister, Nurul Amin. Referring to the 'encroachment' by the centre upon 'the sources

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1. *Ibid.*, vol. I, no.1, p. 29; vol. III, no.1, p. 33.

2. *Ibid.*, vol. III, no.1, pp. 33-4.



of our income', he observed,

We have fought tooth and nail and have left no stone unturned so far as we are concerned. We are still fighting but the Centre has not yet agreed to give us that amount. Mr. Speaker, it has encouraged me to find that most of the speakers, who have touched this point, have signified their co-operation and support in our fight with the Centre on this subject. I am not leaving this issue at this stage; I shall fight on and on till the province's claims are accepted by the Centre. (Applause).... But I must make it clear that I do not make this statement in the nature of an accusation against the Centre or as an act of injustice done by the Centre to the province as the negotiation has not yet concluded. I still hope that better sense will prevail and an equitable settlement will be arrived at between us and the Centre. But, at the same time, I should mention another point, that is, the anxiety on the part of the Central Government to encroach on every field of provincial activities .... I have been informed from reliable source that recently certain legislation has been adopted by the Central Legislature taking away some of the industries from the provincial list to the Centre. This is another short-sighted policy which I must protest against from this House .... The provinces must be allowed to enjoy full autonomous position.... But particularly this province of East Bengal which is so far flung from the capital of the Central Government must enjoy the fullest autonomy. (Cries of hear, hear). 1

Sales tax which was considered to be the only 'really elastic' source of revenue of the province, which otherwise had very 'static' and 'inelastic' sources, was not returned to the province in 1950 as stipulated. The provincial field of taxation was extremely limited and there was not much scope for

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1. Ibid., vol. III, no.1, pp.264-5. The Pakistan Observer commented upon the speeches of finance minister and chief minister replying to the general debate, in an editorial titled 'Twin Demand for a Fair Deal', Mar.24,1949; also see editorial of Mar.19, 1949 - 'Quo Vadis East Bengal?'. It may be mentioned here that finance minister Hamidul Huq Chowdhury resigned in December 1949 as PRODA charges were instituted against him. Nurul Amin assumed the finance portfolio. Henceforth, there was a certain change in the style. While it would be unfair to make a sweeping generalisation the style now was more of petition and supplication.

further taxation, the finance minister told the House.

The only alternative left to us is to ask the Centre to be more generous in the matter of division of revenues. We are pressing the Centre for giving us a larger share of revenues derived from Jute, for giving us a share of Income Tax and for the return of the Sales Tax to the Province. <sup>1</sup>

The Raisman Award, effective from the financial year 1952-3, was received by the provincial government with 'mixed feelings'. The Award rendered 'substantial relief' to the province as compared to the position prevailing since independence. But it was considered not to have entirely safeguarded the province's financial interests.<sup>2</sup> The Award did not return the sales tax to the province, but gave it '45 per cent of half of the net proceeds of the central excise duty on tobacco, betelnut and tea'. It was felt that the share of the provincial government ought to have been based on the total collection of excise duty on all articles instead of only these three, or alternatively, East Bengal should have received the 'entire excise duty collected on these three articles in the province'. With regard to income tax, the Raisman Award gave to the province '45 per cent of half of the net collection which was to be arrived at after deduction of taxes or federal emoluments and taxes collected in federal areas'. The province was deprived of an equitable share of the tax under this arrangement because 'most of the firms' operating in East Bengal had their head offices, and hence paid

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1. EBLAP, vol. V, no. 1, pp. 213-4.

2. Ibid., vol. VII, pp. 16, 43. Jeremy Raisman, a financial expert, was appointed 'to examine the present allocation of revenues between the Centre and the Provinces in relation to their respective responsibilities and to suggest any changes, if necessary, in order to ensure an equitable allocation of revenues'.

income tax, in Karachi which was in the federal area. As regards jute, the 'mainstay' of the province's economy, the Award gave to the province '62½ per cent of the basic export duty on jute and 10 per cent of any additional duty that may be imposed on jute from time to time'. Raw jute duty on the exportable quantity that was previously collected by the province was abolished when the Raisman Award was enforced. It was pointed out that contrary to the estimate of Jeremy Raisman, the actual share received by the province on jute export duty under the Award as demonstrated by the figures available for financial years 1952-3 to 1955-6, was less than the previous collection by the province on raw jute duty and share of export duty on jute, as shown by the figures of 1950-1. As a result, the provincial exchequer suffered heavy losses.<sup>1</sup>

The 'static' sources of revenue of the province and the 'inequitable' distribution' from the allocations of jute export duty, income tax and excise duty, produced a 'chronic revenue deficit'. The accumulated deficits on revenue account up to the end of 1955-6 were nearly Rupees 22 crores.<sup>2</sup> They were estimated to have risen to Rupees 34 crores at the end of financial year 1958-9.<sup>3</sup>

Also, it was pointed out, East Pakistan did not receive adequate benefits from the central government's expenditures. The income of the centre from the province far exceeded its spending in the region.<sup>4</sup> The amount allocated for

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1. For criticisms by finance ministers of the provisions and effects of the Raisman Award as not being fully advantageous to the province, see, *ibid.*, vol. VII, pp.16-19; *EPAP*, vol. XVI, no.1, pp.21-4; vol.XVIII, no.1, pp.98-100. The above quotes are mainly from the budget speech of 1957 (vol.XVI), as it contained some relevant figures.

2. *EPAP*, vol. XVI, no.1, p.24.

3. *Ibid.*, vol. XVIII, no.1, p.100.

4. *Ibid.*, vol. XVIII, no.3, pp.82-3.

the province under the first Five Year Plan was also complained of as very small and inadequate.<sup>1</sup>

The constitution of 1956 provided for a National Finance Commission to make recommendations to the President as to the distribution between the Federation and the Provinces, of the net proceeds of export duty on jute and cotton and any other specified export duty, taxes on income other than corporation tax, specified duties of Federal excise, taxes on sales and purchases and any other specified taxes, and regarding other financial matters. The Commission however, was not constituted by the President until 1958.<sup>2</sup>

Members were critical of the centre for the unfair revenue allocations. A very large share of the revenue, which would have helped towards economic growth and development of the province, went to the centre, and what was more, the province, did not receive any equitable or proportionate returns of the central government's expenditures. The dominant mood was that East Bengal's resources were being drained away, that the province was being treated as a 'colony', that it was receiving 'step-motherly' treatment from the centre. The demand was for a 'square deal' - for 'our legitimate claims and our

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1. Ibid., vol. XV, no.1, p. 16.

2. Ibid., vol. XVIII, no.1, p.98. Also see, Constitution 1956, article 118. The Commission was dissolved in October 1958 before it made any recommendations. See, G.W.Choudhury Democracy, p.238.

It needs to be emphasised here again that the above concentrates on the main grievances of the province in the matter of financial allocations, as expressed by the finance ministers themselves in their budget speeches, in the comments of the chief ministers and in their winding up of budget discussions. A study of budgetary provisions and other related matters of provincial revenue and expenditures, central loans and grants, pre-partition claims, development projects etc. was not intended. The names of successive finance ministers, along with their party affiliation at the time, who presented the budgets were: Hamidul Huq Chowdhury, ML, 1947-49; Nurul Amin, ML, 1950-53; Monoranjan Dhar, PNC, 1956-58 (the budget for 1956-57 was actually presented by the chief minister, Ataur Rahman Khan, AL).

due shares'.

Are we not an integral part of Pakistan? I know, Sir, I shall be accused of provincialism, but I may say that I am not advocating provincialism. I want simply justice and fair treatment to all Pakistanis..... I take the greatest possible exception to the treatment that has been meted out to this part of Pakistan.... We want our legitimate claims, we want our due share. 1

Members criticised the government and their representatives at the centre for their failure to safeguard the province's economic and financial interests.

The noble and worthy sons of this province are now occupying the position of the Governor-General of the Pakistan Dominion, the President of the Constituent Assembly and responsible seats in the Central Cabinet. A good number of members of the Constituent Assembly have gone from this province, and I should say, Sir, if taken together they are representatives of all sections of this House and they constitute the majority there .... it is a disgrace that our Provincial Ministers could not impress upon the Central Government regarding our needs and demands. ... It is not only a disgrace for these Provincial Ministers; it is a disgrace for us also, because, Sir, we have sent there such incapable members to represent us. (Applause). 2

Many disapproved of the surrender of sales tax to the centre and censured the government for its failure to get it back at the end of the stipulated two years. There was dissatisfaction regarding the Raisman Award. Some went to the extent of questioning the government's authority to bind itself to the recommendations by deciding to accept them as Award. There was also a

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1. The speaker was A.T.Mazharul Haque (ML). See, EBLAP, vol.III, no.1, pp.157-8. Also see, e.g. vol.1, no.1, pp.80,114,116-7; vol.III, no.1, pp.154, 190; vol.IV, no.7, p.129; vol.V, no.1, pp.377, 382; EPAP, vol.XV, no.1, pp.172, 106-7; vol.XVI, no.3, p.21; vol.XVIII, no.3, p.77; and no.6, p.39.
  2. The speaker was S.A.Khondkar (ML). See, EBLAP, vol.III, no.1, pp.164-5. Also, for example, see, vol.III, no.1, pp.189,249; vol.V, no.1, p. 403; vol.V, no.2, p.422; vol.X, no.1, p.100; EPAP, vol.XV, no.3, p.67; vol.XVI, no.2, p.114.

strong feeling that the government had failed to present East Bengal's case effectively.<sup>1</sup> The provincial government and East Bengal's representatives at the centre were asked to put up a 'good fight' to secure the province's just claims and were promised every support and backing.<sup>2</sup> But the frustration was obvious, as was observed by a member during the budget session in 1958.

As Finance Minister, He (Nurul Amin) complained here and as Chief Minister he went to Karachi and there also he complained and protested against the then manner of allocation of funds between the Centre and the Provinces. The same has happened this year. The Finance Minister, Mr. Monoranjan Dhar, has moaned his lot at Dacca here and the Chief Minister, Mr. A. T. Khan, at Karachi, has protested and groaned. Of course the result on both the occasions is similar. 3

There was a strong feeling of regional identity in north Bengal from the outset. North Bengal was generally taken to correspond to Rajshahi Division (thus actually areas also on the west and south-west of the province), comprising of 8 of the 17 districts of the province. There was an early attempt by Muslim League members of the assembly from these districts to forge a united

1. See, EBLAP, vol.1, no.1, pp.84-5, 103,106,116; vol. III, no.1, p.198; vol.V, no.1, pp.355, 421,438,440-1,455; vol.VIII, pp.17,22,24,35; vol.X, no.1, p. 168; EPAP, vol.XV, no.1, pp.127, 146,219.
2. EBLAP, e.g., vol.III, no.1, pp.137,256; vol.III, no.3, pp.98,106; vol.V, no.1, pp.417,422,429,453-4; EPAP, e.g. vol. XVIII, no.2, p. 139.
3. The speaker was A.Salam Khan (AL dissident). See, EPAP, vol.XVIII, no. 2, p. 130.

The above does not deal at full length East Pakistan's grievances of disparity in various fields. But in so far as it is entirely based on the proceedings of East Pakistan legislature, it helps to illustrate a dominant aspect of the attitude of East Pakistan's politicians at legislative level. For further analysis of, and comments, on disparity in economic development, financial allocations etc. see, e.g., CAFD, vol.1, pp. 1813-37, 1842-71; Abul Mansur Ahmad, op.cit., pp. 315-8; Callard, op.cit., pp. 173-8; Vorys, op.cit., pp. 94-100; Sayeed, Political System, pp.66-7; 199-201; Richard D. Lambert, 'Factors in Bengali Regionalism in Pakistan', op.cit., pp. 52-3; Economic Disparities Between East and West Pakistan (Dacca: East Pakistan Government Press, 1963).



bloc within the parliamentary party. In 1949, several meetings were held when the formation of a Rajshahi Division Legislators' Board was mooted with a view to 'promote the all-round improvements of the Rajshahi Division'.<sup>1</sup> It could have acted as a strong regional pressure group on the government. The move ultimately did not appear to have met with complete success. Nevertheless, there was sufficient indication that members coming from these districts generally acted in unison when it concerned the interests of the region. To cite one example, shortly after independence in 1947 the demand for a medical college or school for north Bengal was accepted by the government. But when members pressed the claims of their respective districts for the site the government apparently as a pre-condition demanded that they first reached an agreement amongst themselves. During the budget session of 1950, notice of the government was drawn to the fact that the members had 'submitted an unanimous representation to the Government selecting Rajshahi as the place for starting a medical college'.<sup>2</sup>

Members from north Bengal<sup>3</sup> often complained of 'neglect'

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1. Pakistan Observer, Nov.22,30,1949; Azad, Oct.10, No.11,1949.
  2. EBLAP, vol.IV, no.7, p.81; vol.IV,no.8,p.62. Also similarly regarding Rajshahi University, see, vol.X,no.2,pp.290-1.
  3. Here it must be stressed that this regional identification is not to be confused with district or constituency claims of members. Like members from other districts, those coming from the districts in north Bengal also put forward the demands and grievances of their respective districts. The above is based only on observations when members spoke in terms of the region as a distinct entity or on behalf of the administrative division of Rajshahi as such. Relatively, in the context of the province as a region, the area should properly be described as a sub-region.

A distinction could be made about the district of Sylhet in east Bengal, however. Formerly a part of Assam, the district could not be regarded wholly as Assamese; while as part of East Bengal, it saw itself as quite distinct from the rest (people from Sylhet usually referring to their compatriots in East Bengal as 'Bengali' while reserving for themselves the more particular 'Sylheti'). Social anthropologists would also probably find noticeable differences at the time. The demands and grievances of Sylhet perhaps could therefore be seen in somewhat different light than the rest of the districts of East Bengal.

of their region by the government in the allocation of various developmental and welfare projects. It was claimed, as justification of their demand, that the region contributed a considerable proportion of revenue to the province. The simile of the centre vis-a-vis East Pakistan was sometimes cited. Such allegations of negligence were refuted by the government who maintained that no discrimination was being made between north and east Bengal.<sup>1</sup> A latent demand for a separate province in north Bengal seems to have grown from economic grievances, however. There was a move to mobilise support for a separate province as early as 1951, by some members from north Bengal.<sup>2</sup> But it was towards the end of the second assembly that the demand was voiced with increasing frequency. During the budget discussions in 1958, several members from north Bengal, referring to the alleged 'neglect' of the region, warned that 'if such state of things continue, it will justify the creation of a separate province in East Pakistan' - 'accumulated suffering and injustice of the people of Rajshahi Division would find its natural outlet in the nature of further division of the country'.<sup>3</sup> A resolution was submitted for the

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1. For example, see EBLAP, vol.I, no.1, p.121; vol.III, no.1, pp.141-2; vol.III, no.2, pp.275-6; vol.III, no.3, pp.83-4; vol. IV, no.7, pp.83-4, 98, 141; vol.V, no.1, p.369; vol.V, no.2, pp.300-2; vol.X, no.1, p.157; EPAP, vol.XV, no.1, p.205; vol.XV, no.2, p.173; vol.XVI, no.2, p.243; vol.XVI, no.3, p.276, 303, 307, 336; vol.XVIII, no.2, p.111; vol.XVIII, no.3, p.30; vol.XVIII, no.5, p.90.
  2. EBLAP, vol.VI, no.2, p.170. In course of interview with the present writer in April 1969, Nurul Amin (Chief minister 1948-54) also mentioned that 'initiative was once taken by members of north Bengal districts to have a separate province because of alleged negligence of the areas' and that some demands were met by the government, and cited the establishment of the Rajshahi university. He observed that district-wise, north Bengal districts 'were more conscious regionally as they considered themselves neglected'.
  3. EPAP, vol. XVIII, no.3, pp.30, 79; vol.XVIII, no.4, p.34; vol.XVIII, no.5, p. 97.

March as well as June session in 1958 demanding 'creation of a new province with the Rajshahi Division in East Pakistan'.<sup>1</sup>

The government's attitude could be summed up in the finance minister's reply to the general discussion of the budget that year. Figures suggested, he told the House, that members exaggerated their case of 'negligence' to the region. He admitted that 'in respect of communication, roads and buildings there is some deficiency', but even in this, the government's expenditure was proportionate to the population of the region within the province. He then 'appealed' to members 'not to think on parochial line', and somewhat ambiguously, referred to article 26 of the constitution which as a Directive Principle of State Policy, laid down that the 'State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens'.<sup>2</sup>

Before the discussion on north Bengal regionalism is brought to a close, a further observation may be made here. In the first assembly, referring to the various government schemes during a budget discussion, a member from Rajshahi Division regretted that his neglected region of 8 districts was represented in the cabinet by a solitary member while Dacca Division had 5 and Chittagong Division 4 members in the cabinet.<sup>3</sup> Another member, also from a north Bengal district taking part in a general discussion of the budget, lamented that not a 'single farthing' had been provided for his 'poor district' which, he noted, did not have any member in the cabinet.<sup>4</sup> It would appear that representation in the cabinet

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1. Register on Resolutions. See pp. 385 fn. 2 below.

2. *Ibid.*, vol. XVIII, no. 3, p. 90.

3. *IBLAP*, vol. X, no. 1, p. 308.

4. *Ibid.*, vol. III, no. 1, p. 169.

was thus directly linked with government attention and patronage. When Fazlul Huq formed the cabinet in 1954 which included only one minister from north Bengal, an MLA from Rajshahi pressing the claim of his region for larger share observed that 'the step-motherly treatment meted out in the selection of UF cabinet will lead to agitation of a separate province for north Bengal'.<sup>1</sup> However, north Bengal districts were not the only ones to press the claims of their region or districts. In 1955, for example, during negotiations on the expansion of the Sarkar cabinet, it was reported that a deputation of MLAs and MCAs from Chittagong and Chittagong Hill Tracts called on chief minister Abu Hossain Sarkar and central interior minister Fazlul Huq to demand the appointment of a minister in the provincial cabinet from the areas they represented. The expanded cabinet included a member from Chittagong. Whether it was a direct outcome of the deputation's representation is not known, but reportedly, the deputation had been 'assured of full sympathetic consideration of their demands'.<sup>2</sup>

It has been observed that one of the tasks of a chief minister was to see that 'the different districts were more or less represented' in his cabinet.<sup>3</sup> Table 13 indicates that the primary consideration was not always solely one of district representation and that other factors such as political and party considerations were fundamental. The distribution in the Table would tend to suggest that the more strong the political or party leadership, the less effective were the

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1. Dawn, May 30, 1954.

2. Ibid., Aug. 22, 1955.

3. By Nurul Amin (chief minister 1948-54), to the present writer during interview in April 1969.

Table 13

District representation in cabinets 1947-58

DISTRICTS (1)	CABINETS				TOTAL (6)
	1947-54 (2)	1954 (3)	1955-56 (4)	1956-58 (5)	
<b>DACCA</b>	2	3		2	7
Mymensingh	2	3	2	3	10
Faridpur	1	3	2	2	8
Bakerganj	1	2	2		5
<b>CHITTAGONG</b>			1		1
Chittagong Hill Tracts					
Noakhali	2	1			3
Tippera	2	1	2	2	7
Bylhet	1		2	1	4
<b>RAJSHAHI</b>			2		2
Dinajpur	1				1
Rangpur		1	2	1	4
Bogra					
Jessore			1	2	3
Khulna			1	1	2
Kushtia	1				
Pabna			1	1	
Total	13	14	18	15	60

(Note: In column (1) of the Table the districts have been grouped according to administrative divisions of the province, with the districts which were also the respective divisional head-quarters in bold letters. The district distribution of ministers takes into account their constituencies as well as 'home districts'. It may be mentioned here that even though Khwaja Nazimuddin's

constituency was in Mymensingh (in sub-division bordering on Dacca district) he has been counted for Dacca in column (2) - he came from Dacca Nawab family and his political career started as chairman of Dacca municipality in 1922. At the end of column (4) a minister is shown to have represented the districts of Kushtia and Pabna according to his constituency; his 'home district' could not be ascertained. The totals at the end of columns (2) to (5) do not necessarily represent the actual size of the cabinets and include all those who held office during the periods indicated. Column (5) does not take into account the two occasions when Abu Hossain Sarkar was commissioned to form government in 1958. The districts and divisions of course varied both in size and population.<sup>1)</sup>

districts in securing representations for themselves, or conversely, the weaker the leadership the greater was the need to look for a wider support-base. The contrast is provided by the Fazlul Huq ministry of 1954 and that of Abu Hossain Sarkar in 1955-56. However, while it may be said that with an average of 8 districts represented in their cabinet at any one time, Nazimuddin/Nurul Amin (1947-54) were comfortable with their Muslim League majority and SCF support. Ataur Rahman Khan (1956-58), on the other hand, had potentially a very much less stable cabinet primarily due to fragmentation of parties. By 1958 obviously any search for solid district bases to gather stability had been rendered practically

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1. For an idea of the area and population of the districts, see Nafis Ahmed, An Economic Geography of East Pakistan (London: Oxford University Press, 1958), pp. 273-87, particularly p. 275, Table XLV.



meaningless as the district blocs had been cut across by numerous party, group and factional lines.

The balance between north and east Bengal districts, it would appear, was maintained in the offices of the Speakers and deputy speakers of the legislature. In the first assembly, Speaker Abdul Karim came from Mymensingh (east Bengal) while deputy speaker Najmul Huda was from Rajshahi (north Bengal), the latter succeeded upon his death by Serajuddin Ahmed from Rangpur (north Bengal). In the second assembly, candidatures for the offices reflected political affiliations rather than regional solidarity. Nevertheless, the elections produced the same balancing feature - Speaker Abdul Hakim was from Jessore (north Bengal), deputy speaker Shahed Ali came from Tippera (east Bengal), both nominees of the ruling UF party.

##### 5. Non-official Business.

The procedural rules provided that on Fridays during sessions, non-official business was to have precedence over government business. On such days government business could have precedence only with the permission of the Speaker.<sup>1</sup> Non-official business performed on these days generally consisted of resolutions and bills.

Non-official business, however, was not a regular feature of the functioning of the assembly. (See, Tables 14 and 15). In the first assembly, for example, there were to have been 38 Private Members Days as there were as many Fridays during sessions of the assembly. There were in fact only 12 Private Members Days held, and not all of these were entirely devoted to non-official business. On two of these days, government business also had to be accommodated; on another day, after a non-official resolution was

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1. Procedure Rules. See Rule 18. For provisions regarding non-official or Private Members Bills, see Part V on legislation; for resolutions, see Part VII.

debated and disposed of by the House, the government moved a special motion on 'the salt situation in the province'.<sup>1</sup> The House might not have been altogether averse to conceding the use of these Fridays entirely for discussions of special motions moved by the government as these provided scope to discuss important matters.<sup>2</sup> On two of these occasions, in fact, the dates for moving the special motions seems to have been fixed after consultations between the government and the opposition.<sup>3</sup> However, the decision of the chief minister to move a special motion on Bengali was sudden, prompted by the police firing in connection with the language demonstration of the previous day and the consequent agitation in the chamber.<sup>4</sup> The rules regarding

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1. See Table 14, column (4), sessions VI and IX. The opposition had earlier sought to move adjournment motions which concerned the high and rising price of salt, - one such motion had been disallowed and another, upon being admitted, had failed to obtain leave of the House. Partly on the opposition's demand and partly on its own initiative, the government decided to move a special motion which gave members an opportunity to discuss the matter and the government to present its case. EBLAP, vol. VI, no. 1, pp.17-8, 150,157; vol. VI, no.2, pp.7-10, 135-45.
  2. See, Table 14, column (5), sessions II, III, and VII.
  3. Both these motions on food were proposed by the government in preference to the adjournment motions which had been intended by the opposition. Ibid., vol. II, pp.10-11,90-148; vol.III, no.1, pp.23-6; vol.III, no.2, pp.61-3; vol.III, no.3, pp.295-355.
  4. The nature of the list of business originally fixed for the day is not known. The demonstration called by the All Parties Committee of Action on February 21, was in fact a reaction against prime minister Nazimuddin's statement earlier in Dacca that Urdu alone should be the State language of Pakistan. On February 22, the chief minister moved the special motion that 'This Assembly recommends to the Constituent Assembly of Pakistan that Bengali be one of the State Languages of Pakistan'. Ibid., vol. VII, pp.89-115. The government appointed Justice Thomas Ellis to ascertain whether the firing by the police on February 21 was necessary and the force used by the police justified in the circumstances of the case. The opposition was critical of the limited scope and nature of the enquiry. For the Report of the Enquiry into the firing by the police at Dacca on the 21st February by the Hon'ble Justice Ellis of the High Court of Judicature at Dacca, see Dacca Gazette Extraordinary, June 3, 1952.

presentation and discussion of budgets were generally interpreted to allocate priority to government business at such times.

A total of nine Fridays in the first assembly and eight of the 11 Fridays which were available to the second assembly were in fact devoted to budgets.<sup>1</sup> The time of the second assembly, which had short and irregular sessions, was mostly pre-occupied with passing the budgets. In the first assembly, 12 Fridays in all were taken up for government legislation.

Members protested at the government's use of non-official days and demanded that when the government found it necessary to utilise Fridays for official business, other days during the session should be made available for the conduct of non-official business. The fact that on occasions, leader of the opposition drew the attention of the Speaker, in both assemblies, to this apparent disregard of non-official business by the government in fixing the agenda and criticised the government for curtailing the rights of members to move resolutions and bills, would indicate that back-benchers were not alone in insisting on Private Members Days.<sup>2</sup> Perhaps

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1. See, Table 14, column (5), sessions I, III, IV, V, VIII and X, and Table 15, column (5), sessions IV, V, VII.

2. For examples, see EBLAP, vol. IV, no.5, pp.115-6; vol. IV, no.6, pp.63-6; vol. IV, no.8, pp.180-1; EPAP, vol. XV, no.3, pp.9-11; vol. XVI, no.2, pp.17-9; vol. XVI, no.4, pp.189-90; vol. XVI, no.6, pp.33-6, 114-6; vol. XVII, no.1, pp.120, 124; vol. XVII, no.2, pp.22, 82-3; vol. XVIII, no.1, pp.90-3; vol. XVIII, no.5, pp.138-9. Members of the second assembly apparently were more insistent on their demands. However, such demands by the leader and other important members of opposition in the second assembly during 1956-58, would appear to be somewhat shallow and mainly motivated by political considerations, because the legislature itself was kept in virtual abeyance during the preceding fifteen months when they had been in power.

The central legislature was also negligent of non-official business. Out of 244 days when the Constituent Assembly (Legislature) was in session, only 16 were utilised for non-official business. Only five out of 101 days when the National Assembly held sittings, were devoted to non-official business. (See, Mushtaq Ahmad, op.cit., pp.110, 128). When in February 1958 the government after proposing to adjourn

Table 14

Number of Private Members Days and Utilisation of Fridays,  
First assembly.

Sessions (1)	No. of working days (2)	No. of working Fridays (3)	No. of days non- official business held. (4)	Nature of business on other Fridays. (5)
I	22	4	2	2 - Budget
II	6	1	-	1 - Special motion by Govt. on food situation
III	25	5	-	1 - Govt. resolution on Jinnah's death. No fur- ther business. 2 - Budget 1 - Special motion by Govt. on food situation. 1 - Govt. Bill
IV	52	8	-	1 - Adj. motion tal- ked out. No fur- ther business. 5 - Govt. bills. 2 - Budget.
V	22	4	-	3 - Govt. Bills 1 - Budget
VI	19	4	1-Non-official as well as Govt. business. 1-Non-official and special motion on salt moved by Govt. 2-Non-official business only	
VII	3	1	-	1 -Special motion on Bengali moved by chief minister.
VIII	55	1	-	1 -Budget
IX	20	4	1-Non-official business only 1-Non-official as well as Govt. business	2 -Govt. Bills.
X	24	4	2	1 - Govt. bill. 1 - Budget
XI	18	2	2	
Total	216	38	12	26

(Note: During session V, one day was fixed for non-official business to be followed by government bills. But the two Muslim League members in whose name the two resolutions stood in the agenda did not move them with the result that the day was wholly utilised by the government. The opposition complained that in the original order of business of the session the date was not shown as a non-official day, and that the change of programme was sudden. EBLAP, vol. V, no.1, pp. 34-40.)

disappointments at the existing state of affairs led the Rules Committee to make the provisions of the Draft Rules mandatory and clear. Fridays were allotted strictly for the transaction of private members business; the Speaker in consultation with the leader of the House could allot any day other than a Friday for such business; further, if there was no sitting of the House on a Friday, the Speaker could direct that any other day in the week be allotted for the purpose.<sup>1</sup>

Non-official business was taken up in the House in the order of priority set out in the list of business, this order having been previously determined by ballot under the Procedure Rules.<sup>2</sup> In both assemblies, non-official business

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session of the National Assembly for five days to enable members to watch the Horse and Cattle Show, proceeded to utilise the non-official day for want of time, a member (who was also a member of the East Pakistan assembly) was said to have protested, 'Non-official members should be at par at least with horses'. (Munir Ahmad, op.cit., p. 84; Dawn, Feb. 19, 1958).

1. The Draft Rules also made provisions for more effective management and utilisation of non-official days; a Committee on Private Members Bills and Resolutions was also proposed for every session.
2. For list of business on a Private Members Day, see Appendix - X.

Table 15

Number of Private Members Days and Utilisation of Fridays,  
Second assembly.

Sessions	No. of working days	No. of working Fridays.	No. of days non- official business held.	Nature of business on other Fridays.
(1)	(2)	(3)	(4)	(5)
I	1	1	-	1 - Election of Speaker and dep-speaker
II	1	-	-	
III	1	-	-	
IV	16	2	1	2 - Budgets.
V	22	3	1 - Non-official as well as govt. business	3 - Budgets
VI	6	-	-	
VII	18	3	-	3 - Budgets.
VIII	2	-	-	
IX	11	2	-	1 - Adj. motion and govt. business. 1 - no-confidence motion, against the cabinet moved and admitted - no further business.
X	5	-	-	
Total	83	11	2	11

(Note: The two days when non-official business was held, were not Fridays. Some non-official bills were taken up on days allotted for government business. But these have not been noted in the Table as not much time of the House was involved. The tenth session of the assembly was held in September 1958.)



primarily consisted of resolutions. Resolutions were moved in the form of declarations of opinion of the House and as such they must concern matters which were under the jurisdiction of the government.<sup>1</sup> In course of the 14 Private Members Days that were held in the two assemblies, 18 resolutions were moved on the floor out of which only seven were adopted by the House.<sup>2</sup> But even when some resolutions were ultimately not accepted by the House, these provided members with opportunities to express themselves on the issues at hand. For example, the resolutions on the release of political prisoners and jail reforms in the first assembly led to considerable discussion - an opportunity which the opposition utilised to the full - before they were finally put to vote and defeated. In fact most of the resolutions moved in the first assembly were quite considerably debated before being disposed of.<sup>3</sup> Resolutions moved in the second assembly, on the other hand, were marked by the absence of any thorough debate. Even the debate on the famous autonomy resolution compares unfavourably with the over-all standard of discussion of non-official business in the first assembly.

The texts of non-official resolutions moved in the first assembly would indicate that the opposition tended to utilise the opportunity to criticise and censure the government.

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1. Other conditions for admissibility were, for example, that resolutions must be clearly and precisely expressed and shall raise one definite issue; must not contain arguments, inferences or ironical expressions or refer to the conduct or character of persons except in their official and public capacity; and, must not refer to any matter which is under adjudication by a court of law.
  2. The texts of resolutions moved in the first and second assemblies are appended. See, Appendix XI.
  3. The absolutely non-controversial resolution on introduction of uniform weights throughout the province was however moved and adopted in a matter of minutes.

For example, of the five resolutions actually moved by opposition members,<sup>1</sup> at least three were on matters on which the government was most vulnerable; on these matters, the opposition consistently attacked the government during the budget sessions and on those occasions when the government moved for reference legislation for enacting the Special Powers and Public Safety ordinances. Resolutions moved by members and supporters of the government party, on the other hand, dealt with matters which could be regarded as 'non-political' in nature. The texts of resolutions as shown in the appended list of business on a Private Members Day, would also tend to support the above, - and further, that those members within the government party who could be regarded as dissidents and critics at the time sought to move resolutions which questioned the governments policy or stand on important matters.<sup>2</sup> Similar comments would also seem to be generally applicable to resolutions

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1. Appendix XI, resolutions 1,2,8,12,13 of the first assembly.

2. See, Appendix X e.g. resolutions 1 and 2. Session-wise Registers on Resolutions were maintained by the assembly. The Registers showed the names of members who submitted the resolutions, the subject-matter of the resolutions in brief, the decision of the Speaker as to admissibility, the date when admitted resolutions were sent to the administrative departments, if they were moved on the floor, the decision of the House, and the date when a copy of the resolution as passed by the House was sent to the department concerned. The assembly also maintained individual files on resolutions for which notices were given. The Registers on Resolutions for the first assembly were not available. The present writer had the opportunity to consult some of the files for one or two sessions. Complete data could not be obtained, hence no comment can be made on the numbers and nature of resolutions for which notices were given in the first assembly.

for which notices were given during the second assembly.<sup>1</sup> Resolutions submitted could be divided into two broad categories, - social, administrative and generally non-political matters - matters which the government was not sufficiently interested in or did not consider necessary to raise on the floor, matters to which the members concerned attached importance or thought to be their own special field of interest, some matters which the government, for example, would like to be discussed on non-partisan basis; and secondly, resolutions which concerned political and policy matters, which were occasionally submitted by opposition or dissident members.

The House generally appeared to have been interested in the proceedings of Private Members Days. There were no significant differences in attendance between days when government and non-official business were conducted.<sup>2</sup> There was

1. Based on Registers on Resolutions from September 1955 to September 1958, of the second assembly. A total of 481 resolutions were submitted, out of which about 80 were disallowed for non-conformity to admissibility rules. Some of the resolutions were identical in contents, because notices for resolutions lapsed with prorogation of a session and fresh notices were required for every session under the Procedure Rules.
2. The following Table compares the average attendance of members (as shown in the Official Proceedings at the beginning of the days' sittings) and the daily hours of sittings on Private Members Days as against the Sessional averages, during those sessions only when Private Members Days were held.

	First assembly					Second assembly	
	Sessions					Sessions	
	I	VI	IX	X	XI	IV	V
Sessional average of daily attendance	142	109	101	94	107	268	265
Average attendance on Private Members Days.	134	112	100	91	109	247	261
Sessional average of daily hours of sitting	3hrs. 34mins.	3hrs. 4mins.	2hrs. 48mins.	3hrs. 11mins.	3hrs. 2mins.	5hrs. 28mins.	5hrs. 55mins.
Average hours of sitting on Private Members Days	3hrs.	2hrs. 34mins.	3hrs. 10mins.	1hr. 45mins.	2hrs. 20mins.	4hrs. 55mins.	3hrs. 55mins.

practically no instance on a non-official day when the House fell short of quorum. Perhaps the fact that there were so few and rare opportunities for non-official business to some extent accounts for the sustained interest on the part of members on such occasions.

Resolutions by their nature were not binding upon the government. Copies of the resolutions passed by the legislature were sent to the administrative departments concerned and ministers were to inform the House of the action taken on a resolution in the following session.<sup>1</sup> It was then left entirely to the initiative of members to pursue the matter, - on the floor through the usual channels of questions, budget discussions, or as was sometimes done, by raising points of privileges.<sup>2</sup>

Mention must be made here of the resolution on provincial autonomy passed by the second assembly. The resolution urged the provincial government to represent to the government of Pakistan the need to take suitable steps to provide full regional autonomy for the province, leaving only defence, currency and foreign affairs to the centre. It was moved by a member of the Awami League party at the close of the budget session in April 1957. Commenting on the resolution, a Western observer remarked,

This action was the result of ten years of political frustration and the absence of any appreciable measure of economic development, largely attributed to the unsympathetic policies of the Central Government. 3

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1. Procedure Rules, Rule 94.

2. For examples, see EBLAP, vol. II, p.28; vol.XI, no.1, p.149; EPAP, vol. XVI, no.3, pp. 15-16, 171-2; vol. XVII, no.2, p.23.

3. Stanley Maron, 'East Pakistan Demands Her Autonomy', Foreign Policy Bulletin, July 1, 1957, p. 157.

It has been observed earlier that there was a genuine feeling of grievance in East Bengal against the central authority, based primarily on various economic factors. While such grievances had been expressed earlier and demands for wider powers for the province had been voiced by individual members from time to time in the East Bengal legislature as well as in the Constituent and National Assemblies, this was the first time that an attempt was made to get the demand expressed as an opinion of the House, calling upon the government for positive action. The mover, himself a member of the AL was expressing no more than the policy which the party had adopted in opposition from as early as 1949.<sup>1</sup> The party had come to power in the province in September 1956 and the following week it led a coalition government at the centre. In the council session of the AL in February 1957 where the differences between prime minister Suhrawardy and the provincial AL President Bhashani remained unresolved,<sup>2</sup> a resolution was passed under the presidency of Bhashani to the effect that the AL coalition government of the province should take necessary steps to give effect to the demand for regional autonomy on the basis of the 21 Point Programme.<sup>3</sup> The working-committee of the AL in which the supporters of Bhashani were reportedly in a majority issued directive to the AL members in the assembly to introduce a resolution to that effect.<sup>4</sup> What was expected however was that

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1. For example, see East Pakistan Awami Muslim League, Draft Manifesto (1949). Also see the resolution passed by the AL parliamentary party in January 1956 when it was in opposition, on provincial autonomy, Azad, Jan.17, 1956.

2. See pp.252-54 before above.

3. Ibid., Feb. 9, 1957.

4. Ibid., Mar. 3, 1957.

the AL leaders now in power in the province and in politically closer terms with the central government led by Suhrawardy (with a coalition partner which could be described as 'centralist'), would be obliged to take an equivocal attitude on the issue and would thus seem to be compromising a basic demand of the party. The assembly secretariat received eight notices for resolution on provincial autonomy.<sup>1</sup> The resolution of Mohiuddin Ahmed of the pro-Bhashani group was taken out of turn on a requisition from the required number of members and moved on the floor.<sup>2</sup> The government however completely associated itself with the resolution and thus disarmed the pro-Bhashani group.<sup>3</sup> The fact that the general secretary of the party Sheikh Mujibur Rahman (who was then the commerce, labour and industries minister) chose to wind up the discussion on behalf of the government would also tend to suggest that this was largely a matter of party in-fighting staged on the floor of the House.

There were only four private members bills passed by the legislature, - all of them by the second assembly.<sup>4</sup> The Assembly Secretariat Bill was passed in the autumn of 1956 when the assembly held its first regular session. It provided

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1. Register on Resolutions.

2. Statesman, Apr. 4, 1957; EPAP, vol. XVIII, no.2, p. 173.

3. Also see the report of the special correspondent, Dawn Apr. 5, 1957; EPAP, vol. XVI, no.6, pp. 134-50.

4. Members were said to have displayed less interest in private members bills. The number of proposed non-official bills was stated to have been significantly lower than that of resolutions in the assemblies. Problems of drafting and other practical difficulties in the way of private members bills were believed to have discouraged members in this field. (This is based on discussions of the present writer with Azad Ali, (see p. 313 f.n. 1 above). He was also in charge of the Bills section of the assembly secretariat. The discussions took place in April 1969).



for a 'self-contained, independent and autonomous' secretariat for the assembly, free from control of the executive department of the government. The Bill was piloted by Mirza Gholam Hafez (of the Ganatantri Dal), but was said to have been inspired and influenced by the Speaker himself.<sup>1</sup> The Members of the East Pakistan Assembly (Salary and Allowances) Bill and the Assembly Members Privileges Bill, were passed in 1957 and 1958 respectively. Both were moved by Mirza Gholam Hafez. The former sought to provide for better financial provisions for members, by increasing their salaries and daily and conveyance allowances. In what virtually amounted to a noisy legislative coup, the private members hurriedly passed the Bill inspite of protests from the government front bench. Ministers attempting to explain the financial implications and the nature of the Bill as a finance bill were greeted with cries of 'sit down', even from the government back benches. Amidst 'thumping of desks' and 'uproarious noise from all sides', the Bill was passed.<sup>2</sup> The Privileges Act sought to 'regulate the terms and privileges of members of the assembly'. In a way this Act strengthened the position of the legislature as against the executive government. For example, it made it obligatory on the part of the authority concerned to inform the Speaker, and through him the House, of the arrest or imprisonment of any member on criminal charges or detention under executive order. It also entitled members to visit jails, reformatories, hospitals,

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1. For details of provisions of the Bill and further developments, see pp.44-50, above.

2. For further details see pp.419 below.

institutions educational/etc. within their respective districts and to submit reports direct to the ministers in charge of the departments.<sup>1</sup> The Dacca University (East Pakistan Amendment) Bill was passed during the budget session of 1957. It sought to remove a section of the comprehensive Dacca University (East Bengal Amendment) Act of 1953, which had been framed by the Muslim League government during the last session of the first assembly before the 1954 election. Under this section of the Act, the employees of the Dacca University and the affiliated colleges had been debarred from taking part in any political activity or movement and from standing as candidates in any election of the legislature.<sup>2</sup> Himself then professor of a college, the mover (M. Ashabuddin Ahmad, AL) like some other members of the assembly (as was claimed during the debate) had resigned from his job to contest the election. The repeal of this section of the 'Black Act' as it was termed by the then opposition, had been an election plank of the United Front - it was one of the points in the famous 21 Point Programme, and in fact had the support of almost all sections of the House.<sup>3</sup>

It may be mentioned that all these bills were marked by virtual absence of any discussion (as also in the case of resolutions moved in this assembly) at any stage, except

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1. Also see, pp.421-22 below.

2. See EBLAP, vol. XI, no.2.

3. EPAP, vol. XV, no.3, p. 128; vol. XVI, no.6; pp.119-33. The Bill however failed to receive the assent of the Governor in time, following which a similar ordinance was issued, and placed before the House in the following session. Subsequently, a similar Bill, with slightly wider scope, was passed as a government Bill. See, Ibid., vol. XVIII, no. 1, p. 49; vol. XX, pp. 70-3.

of course the Dacca University (East Pakistan Amendment) Bill which provided ample incentive to the delivery of 'good' speeches, full of ample rhetoric. None of the bills passed on the initiative of private members constituted what may be termed 'social legislation'. All four bills concerned the politicians themselves.<sup>1</sup> The fact that these bills were moved and passed at the earliest opportunity by members in the second assembly, indicates to some extent the nature of their priorities. This must also be viewed as, in some measure, the reaction of a legislature against the alleged docility of its predecessor and its dependence on the executive. All these bills were designed to strengthen and enhance the 'status' of the legislature - an object on which members, with all their political divisions and differences, were more or less of one opinion.

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1. However, the introduction of one Bill (Court Fees Amendment Bill) had been objected to by the government. Two more Bills (East Bengal Rural Primary Education Amendment Bill and State Acquisition and Tenancy Amendment Bill) remained at 'introduction' stage.

## CHAPTER VI

### THE LEGISLATORS

#### 1. Biographical data on members.

A total of 170 members sat in the first assembly and 322 in the second.<sup>1</sup> The data is not exhaustive, and only includes between 48<sup>to</sup> 53 members of the first (roughly 28 to 31 per cent), and between 98 to 124 members of the second (roughly, 30 to 39 per cent), legislatures.<sup>2</sup> No firm conclusion can be drawn from the available data. Only some general observations are to be made. While the available data may be taken as fairly representative on the whole, a slight bias towards the top leadership was nevertheless inevitable.

#### I. AGE

Table 16A

Age	First Assembly		Second Assembly	
	No. of respond- ents - 51 (i.e. 30% of total)	Percentage of respon- dents	No. of respond- ents - 123 (i.e. 38% of total)	Percentage of respon- dents
(1)	(2)	(3)	(4)	(5)
Below 30 years	1	2	10	8
30-39 years	8	16	29	24
40-49 years	20	39	35	28
50-59 years	15	29	28	23
60 and above	7	14	21	17
Total	51	100	123	100

1. The figures are arrived at by adding those elected through by-elections, to the number of sitting members at the start of tenure. For the first legislature, the first session after independence in March 1948 has been taken as the start, thus - 162 sitting members at the time plus 8 elected through by-election. The second legislature has been taken as constituted following the election in March 1954, thus - 308 sitting members (Fazlul Huq, having won in two constituencies, resigned from one) plus 14 elected through by-elections.

2. On sources of data on members, see Appendix XII.

The second assembly was generally known to have been a younger House. Table 16A shows that age groups below 40 provided only 18 per cent of respondents from the first assembly and a much larger 32 per cent in the second.<sup>1</sup> Those between 40 to 59 years constituted two-thirds of the first, but only half of the respondents from second assembly. Arranged a little differently as in Table 16B below, the age-composition again brings out the relative predominance of the middle-aged in the first and of the young in the second assembly. In view of the fact that nearly 70 and 62 per cent respectively of the total number of members from the two assemblies are excluded from the analysis, it is difficult to emphasise if this was indeed a general feature.

Table 16B

Age  (1)	First Assembly		Second Assembly	
	No. of respondents-51 (i.e. 30% of total) (2)	Percentage of respondents (3)	No. of respondents-123 (i.e. 38% of total) (4)	Percentage of respondents. (5)
Between				
25-34 years	2	4	24	20
35-44 years	17	33	36	29
45-54 years	19	37	27	22
55-64 years	11	22	26	21
65 years and above	2	4	10	8
Total	51	100	123	100

1. The age of all members, including those who entered through by-elections, is calculated for the first assembly in 1947 and for the second in 1954, for the sake of uniformity. All fractional figures have been presented in the nearest whole numbers.

However, data collated from another angle, more comprehensive, would tend to suggest that the second assembly was in fact a younger House. During the life of the first legislature, 13 members in all held ministerial offices. Age-data of 12 are available. In the second legislature members who held ministerial offices numbered 38.<sup>1</sup> The ages of 24 of them, i.e. two-thirds, are known. Arranged in age-groups similar to Table 16A, the data shows that no cabinet member in the first assembly was below the age of 40, and all 12 in fact came from ages between 40-59. In the second assembly, 5 came from below 40 groups, 13 were from 40-59 years old and the remaining 6 were aged 60 and above.<sup>2</sup> If placed as in Table 16B, the age-groups of ministers of the two assemblies would show similar variations. None of the ministers of the first were below 35 years old, 5 were between 35 and 44, 6 between 45 and 54 and 1 between 55 to 64 years. In the second assembly, on the other hand, 4 were between 25-34 years and 6 between 35-44 years; the remaining 14 were distributed more or less equally among the other three age-groups.

Perhaps some explanation may be found in the nature of the elections in 1946 and 1954. Limited franchise as in 1946, was likely to bring to the level of parliamentary politics men of slightly mature years. As for the Muslim League candidates in 1946, party tickets logically were most likely to have gone to those who had consolidated their positions in the party

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1. Table 13 (p.376) above showed the total membership in the cabinets during 1954-58 as 47. This is because some held offices in more than one cabinet.
  2. The 5 below the age of 40 were: Mahmud Ali, M. Mansoor Ali, G.C.Bala, Masihur Rahman and Sheikh Mujibur Rahman. Those who were 60 and above, were: A.K.Fazlul Huq, B.K.Das, D.N.Datta, P.C.Lahiry, S.Muazzemuddin Hossain and Abu Hossain Sarkar.



in 1937 election and immediately thereafter. (Exceptions of course could always be provided by recruits from opposing camps, from others in the party who had been in the background, or even from the hitherto politically uninitiated, if their winning potentials were ranked high or if they had connections with those responsible for awarding nominations). Therefore, in 1946, they were most likely to be about 40 to 45 years old at the youngest. Many of the parties which contested in the 1954 election were<sup>of</sup> post-independence origin; therefore, association over a length of time was not necessary for consolidating position in these parties. The important years for them were between 1949-50 to 1953, and the party nominations generally went to those who played some role in organising these parties and worked for them at the district levels during this period. (Again, of course, there could be exceptions). To give two examples from the top echelons. Sheikh Mujibur Rahman was only 27 years old when he became joint secretary of the AL organisation, three years later, he was elected general secretary; Mahmud Ali, the secretary-general of the Ganatantri Dal, from 1953-57 was only 34 years old when the party was organised in 1953. Also, adult franchise, as in 1954, it may be suggested, removed a bias towards the more aged.<sup>1</sup>

A House with a large proportion of young members would be relatively inexperienced in parliamentary politics and would have little patience for parliamentary procedure.

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1. It has been also noted with reference to the age-composition of members of the Indian Parliament after the first general election, that with adult franchise 'there has been a shift in favour of the younger men'. Morris-Jones, Parliament, p.116.

## II Education

Table 17

Educational Qualifications	First Assembly		Second Assembly	
	No. of respondents 53 (i.e. 31% of Total)	Percentage of respondents	No. of Res. pondents 124 (i.e. 39% of Total)	Percentage of respondents.
(1)	(2)	(3)	(4)	(5)
Under-matric	5	9	7	6
Matric	2	4	7	6
Intermediate	2	4	10	8
Graduate	21	40	49	40
Post-graduate	6	11	22	18
Law	27	51	56	45
Medicine	3	6	6	5
Only religious edu/training	3	6	7	6
Total	69	131	164	134

(Note: The discrepancies in the totals at the end of columns (2) to (5) are due to duplication. In the first assembly, out of the 27 with legal qualification, 10 had their basic education as graduates and 6 had post-graduate degree. This total of 16 constitute 30 per cent of the respondents. Eleven of the 27 with legal qualification did not indicate their basic degree. In the second assembly 40 out of the 56 with qualification in law have also been counted under following heads: matric 3, inter. 2, graduate 24, post-graduate 11; these constitute 32 per cent of the respondents. Sixteen of those 56 with legal qualifications did not mention their basic qualification. The remaining surplus in the total per centage figures for columns (3) and (5) is due to rounding off of fractional figures.)

Table 17 shows the over-whelming predominance of the highly educationally qualified in the two assemblies. Though it is probable that the response under-rates the less educationally qualified - the under-matric, matric and intermediate, and also those with only religious education, it is thought that even if complete data were available, the final distribution-ratio would not have been markedly different. The Table brings out the over-all similarities in educational attainments of members of the two assemblies and underlines the fact that politics continued to be almost exclusively dominated by the highly literate. According to 1951 Census, only 21.11 percent of the population of the province were literate;<sup>1</sup> only 12 in every hundred literate people were graduate and above. Thus, a fractionally small class of educated people were disproportionately over-represented in the legislature. The first election on the basis of universal adult franchise in 1954 did not apparently introduce any shift in favour of the less literate. Politics continued to remain the exclusive preserve of the few highly educated - men with university degrees and professional qualifications, who, in an ascriptive society, were the natural leaders of people. Besides, higher education by placing men in higher income levels, enabled them to pursue a career in politics, - it was often the next step in the ladder for them.

Detailed available data on the 9 members of the first assembly, whose educational qualifications were below graduation, reveal the following features: 5 came from 'zamindar' families - four of them with large rent-receiving interests while one was quite small; at least one also had a record of active

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1. Literacy was leniently defined as the ability to read only. A more stringent test - ability to both read and write, brought down the percentage of literacy in East Bengal to a bare 14. Census of Pakistan, vol. III, pp.97-98.

participation of their families in politics at legislative level; 1 was a contractor whose father was a 'nayeab' of a zamindari estate; 1 was a business man with fairly substantial land-holding; 2 had particularly long association with local self-governing bodies and also had records of social upliftment activities in their constituencies - one of them described himself as coming from a 'rising middle class family'. Similar data on 17 of the 24 members of the second assembly with educational qualification below graduation, reveal the following: 2 came from 'zamindar' families - one of them with fairly large land-holding; 2 had some substantial land-holding, described themselves as formerly 'talukdars' - one also had business interests and the other was engaged in teaching; 2 came from families which had already sent members to provincial and/or central legislatures - one also had business and landed interests; 5 after passing either matriculation or intermediate, followed a course in law which qualified them to appear before subordinate courts; 3 had been connected with revolutionary activities during British rule, and spells of imprisonments had terminated their studies; 1 was a businessman; 1 left studies and 'joined politics' and was engaged in local government politics for a long time; 1 described himself as a 'trade unionist'. Thus, a substantial proportion of those shown as 'under-matric', 'matric' and 'intermediate' in the Table nevertheless had some political capital to their credit, which singly or in combinations must be of considerable influence in their constituencies, viz., zamindari or landed interests, family tradition in politics, personal sacrifice and sufferings for the sake of political ideology, records of political participation and social upliftment, and relatively well-to-do place in society because of the nature of their occupation.

Education in 'madrassah'<sup>1</sup> followed by a course or degree from Deoband was the general educational pattern of those who have been shown in the Table as having only religious education/training. Only 2 did not visit Deoband, - one of them, apart from the madrassah education, had also received some incomplete schooling. One member who studied at Deoband did not indicate if he had received education in 'madrassah', but noted that he had received incomplete school education. The best-known of those with only religious education, the leader of the Nizam-ul-Islam Party, mentioned his primary occupation as 'spiritual guide' and 'educationist'. Occupational data of all are not available. Three appeared to have been engaged in teaching in schools for some time. Another described himself, on the basis of his primary occupation, as 'preacher' and 'cultivator'. Members with only religious education were not exclusively associated with strictly religion-oriented parties. Data on their affiliations after independence indicate that 2 were members of Jamiat-ul-ulama-e-Islam - one of them a member of the NIP and the other a member of the ML; 2 were Muslim Leaguers; 3 left the ML after independence to join NIP (one) and AL (two).<sup>2</sup> A majority had participated in the Khilafat movement in the 'twenties', but this was not untypical of them as other members of the legislature who were politically active at the time had also generally taken part. One had been a member of the Congress and had served as vice-president of District Congress committee.

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1. Educational institution with a strong emphasis on studies pertaining to religion in the curriculum.
  2. Only 7 are accounted for above. However, two of them - one a Muslim Leaguer and another a Muslim Leaguer turned Awami Leaguer, belonged to both the first and the second assemblies. The party affiliation of 1 is not known.

Some details of the professional qualification of those in medicine are available. Two received their medical degree from Calcutta Medical College; 1 was qualified from abroad; 4 were LMF from medical schools; data on the remaining two are not available.

Those of the graduates and post-graduates who indicated their universities, almost exclusively referred to the Calcutta and the Dacca Universities. Only one obtained his degree from Cambridge University in the U.K. A very large proportion of graduates and post-graduates also obtained further qualifications in law.

Not all of those shown in the Table as being qualified in law, made specific mention of the nature of their legal qualification. But the available data indicate that a very large number had degree in law from under the two universities mentioned above. A small minority were qualified in mukteership. Only one mentioned his qualification as Bar-at-Law.

### III OCCUPATION

Table 18

Occupation	First Assembly		Second Assembly	
	No. of Res-pondents-48 (i.e. 28% of total)	Percentage of respon-dents	No. of Res-pondents-98 (i.e. 30% of total)	Percentage of resp-ondents.
(1)	(2)	(3)	(4)	(5)
Legal	26	54	50	51
Land/zamindari	10	21	11	11
Business and commerce	3	6	11	11
Industry	1	2	0	0
Medical	3	6	6	6
Education	2	4	9	9
Journalism	1	2	3	3
Others	2	4	8	8
Total	48	99	98	99

(Note: The slight discrepancies in the total percentage for columns (3) and (5) are due to rounding off of fractional figures.)



The available data as shown in the Table might have in effect inflated the proportional dominance of some occupational groups and not adequately reflected the strength of others. Nevertheless, the proportion of representation as shown in the Table is not to be wholly ignored. It is likely that had the entire data been available, the over-all effect would not be any more than a slight reduction in the size of the legal profession, with the balance distributed over the rest. Whether the proportional differences of occupational groups as shown in the Table between the two assemblies (which ranged between 1 to 10 per cent of respondents) indicated any definite pattern, is difficult to assess as the response rate is substantially short of the total number of legislators.

The occupational categories are rather broad. For example, 'legal' profession include those who described themselves as muktars, pleaders, advocates, public prosecutors or simply as lawyers. Further classification in these lines within the occupational group of legal profession is not possible because in a fairly large number of cases, members noted their occupation simply as lawyers.

Lawyers had been the traditional political leaders in the subcontinent. The tradition lingered on in the post-independence period in Pakistan. In the first Constituent Assembly, 28 of the 48 members on whom data was available, were practising lawyers at one time or another - 3 or 4 more had their degree in law.<sup>1</sup> Twenty-three out of 80 members of the second Constituent Assembly (later the National Assembly) were lawyers. In fact 20 of these 23 lawyers came from East Bengal.<sup>2</sup> However,

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1. Munir Ahmed, op.cit., p. 92.

2. Mushtaq Ahmed, op.cit., p. 115.



the dominance of lawyers in politics was not a unique feature of the subcontinent or of East Bengal alone. In a study of members of the U.S. Senate during 1947 to 1957, it has been noted that about half of the senators were lawyers, while the legal profession comprised only 0.1 per cent of the labour force of the country. Apart from those particularly relating to the American legal system, the professional skills of lawyers and the scope for combining a political career with a legal profession have been put forward explaining their predominance.<sup>1</sup> In the case of East Bengal, these would appear to have been equally applicable. Also, the legal profession was immensely prestigious, even more so in the regions of the subcontinent than perhaps elsewhere. It had the aura of the past glory of political leadership in the freedom movement before 1947; in a society where occupational opportunities were limited, it was one of the very few independent professions. Perhaps the dominance of the legal profession in politics was bound to decline somewhat with the gradually fading memory of the pre-independence era and with the growth of other independent occupations which could also provide avenues for political

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1. Donald R. Matthews, U.S. Senators and Their World (Chapel Hill : University of North Carolina Press, 1960), pp. 33-35. A study of members of four state legislatures in the United States also revealed the lawyers to be the most predominant occupational group. (John C. Wahlke et.al, The Legislative System: Explorations in Legislative Behaviour (New York, London : John Wiley & Sons, Inc., 1962), appendix 5, p. 490.). The profession was also noted to have been 'most heavily represented' in the British House of Commons. (See, Peter G. Richards, Honourable Members: A Study of the British Backbencher (London: Faber and Faber Ltd., 1959), p.32).

participation, like industry, business and commerce etc.<sup>1</sup>

'Land/zamindari' refers to those who owned land, - as rent-receiving interests or for direct cultivation. Perhaps a more satisfactory description for the sake of clearer distinction would have been two separate groupings under zamindars and cultivators. But the available data suggest that such distinction would not necessarily correspond to the realities of the latter occupational group as a whole in the province. Detailed information on the amount of land-holding by 14 of the 21 members under the occupational category of 'land/zamindari' in the two assemblies, is available. Those who described themselves simply as 'zamindars', had fairly large land-owning, subject to the State Acquisition and Tenancy Act of 1951, which came into force subsequently. However, one had only 12 bighas of land, but this would not necessarily make him unrepresentative of the socio-economic group to which he belonged. He was no doubt less affluent than the rest, but it is likely that he would have in his possession other hereditary acquisitions and be accustomed to a mode of living more in common with his

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1. Some findings from the available occupational data of members of the two assemblies in East Pakistan during 1962-70, under the 1962 constitution, may be noted here. In the first of these assemblies, the number of respondents on occupation was 70, i.e. 45 per cent of the total. Legal profession constituted 24 per cent and business and commerce 30 per cent of the respondents. In the second assembly, the number of respondents was 78, i.e. 50 per cent of total. Legal profession constituted 22 per cent and business and commerce 35 per cent of respondents. However, in analysing these features, an entirely new element which is to be taken into account was the system of indirect election by which the two assemblies were elected. There is not known to be any study of East Pakistan legislature during this period. Hence, the influence of this new factor in the membership composition cannot be assessed. Above data is based on Short Life Sketches of Members of the East Pakistan Assembly (1962-65) and Short Life Sketches of M.P.A.s, 1968.

group. The lowest amount of land-owning among those who described themselves as cultivators, was 27 highas; the rest ranged from 60 to 300 highas. This group as such was fairly unrepresentative of their occupational group in the province, considering the level of land-holding in general.<sup>1</sup> In their mode of living and social acquirements they were more likely to gravitate towards the 'zamindars' than their less affluent occupational group.

Replies to questionnaires also indicate that many members whose primary occupation was not in the category of land/zamindari also owned land.

The group of business and commerce include all who described themselves as dealers, traders, merchants, contractors, in short, owner or partner in business or commercial enterprises, or simply as 'businessmen'. A strict division to reflect the economic standing of members who ranged from small-scale merchants and traders to well-to-do businessmen, is not possible because of lack of detail data.

The occupational group of 'medicine' includes LMF and MBBS doctors, with one qualified from abroad. Except for one, all appeared to have been engaged as practitioners.

Education included those engaged in the teaching profession in schools, 'madrassahs' and colleges for some considerable time.

'Others' include the miscellaneous group of members who did not fit into any of the other categories, while their numbers also did not justify separate classification. They include, in the first assembly, a member who was described as 'one

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1. See, Vorys, op.cit., p. 37.

of the leading post-Tagore Bengali literateurs who ushered in cultural renaissance among the Muslims of Bengal', and another who mentioned during debates that he owned fisheries and was as such a fisherman. As for the second assembly, 2 were retired government servants and 6 described their 'occupation' in the following manner - 'spiritual guide' and 'educationist', 'housewife', 'whole time politics', 'trade unionism and whole-time politics', 'social works and whole time political worker', 'author-publisher'.

#### IV LEGISLATIVE EXPERIENCE.

Nearly 28 per cent of the members of the first legislature had previous legislative experience. In the second legislature, on the other hand, only about 14 per cent had previous experience.<sup>1</sup> The elections thus threw up a large proportion of inexperienced members. It could be said that as regards Muslim members, the 1946 election did not favour those former members who had been in opposition to the Muslim League before 1946 and stood against the party in that year; this contributes to the large turn-over rate and high proportion of members with no previous experience. But it would also appear likely that such high turn-over rate was in fact a political feature of the province. Leaving aside the 1954 assembly (where the even higher turn-over rate was also accompanied by the enlargement of the House to nearly double its previous size) and the first assembly elected under the 1962 constitution (whose very high turn-over rate may be explained

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1. Alphabetical Lists of Members of the assemblies during 1947 to 1958 and the lists of members of the Bengal and Assam Legislatures as noted in the Indian Annual Register, 1937-43. Unlike the previous data, this is exhaustive and complete.

by the fact that it was in fact an entirely new system), the assembly elected in 1965 under the new constitution would seem to repeat the trend of 1946. The system was already one-assembly-old, the size of the House was the same and no fundamental issue appeared to have featured in the election - yet only 26 per cent of its members had previous legislative experience.<sup>1</sup>

The difference in the proportion of first entrants between the legislatures elected in 1946 and 1954, was reflected in the behaviour of the two assemblies.

#### V. EXPERIENCE IN LOCAL SELF-GOVERNMENT.

The total number of members on whom partial (including even one item of information on bio-data) or complete data could be collected was 68 for the first assembly and 140 for the second.<sup>2</sup> Roughly 43 per cent of these first and 25 per cent of the second had experience in local self-governing bodies. The actual percentage was likely to be higher, because not all data which have been collected were designed to furnish the information. What is striking, however, is the apparent difference in the available data between the first and the second assemblies. Some tentative explanations may be offered. It was a fairly constant complaint in the assembly that elections to self-governing institutions were inordinately delayed.<sup>3</sup> Given

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1. The above figures are based on Alphabetical Lists of Members of the East Pakistan Assembly, 1963, List no. 2 and 1967, List no. 2.
  2. Except the data on legislative experience, as noted in p.406 footnote 1.
  3. See e.g.p.95, f.n.1, above.

that the incumbents monopolised these bodies thus blocking the chances of others wishing to enter, and also that the number of such bodies remained static while the size of the second assembly was very nearly doubled compared to the first, it is fairly certain that proportionately fewer members of the second assembly would have had any experience in local self-governing bodies. Also, perhaps, with independence and adult franchise, there was a tendency to 'leapfrog' directly into provincial and legislative politics.<sup>1</sup>

The brief discussion above on members' bio-data was handicapped because of lack of exhaustive data. Therefore, it is not a study of the legislators of the two assemblies, but only of those among them on whom data was available. This ranged in the region of a third of the total members, particularly on age, education and occupation. It is not an entirely negligible proportion. While it would not lead to any firm conclusion, it would nevertheless provide some knowledge and throw some light on the prevailing trend unless those excluded from the study were to prove to have been entirely dissimilar.

Our study reveals a majority of these members to have relatively high educational qualification. They were largely professional people and were at least moderately affluent compared to the people in general.<sup>2</sup> Their position of leadership in the society was consolidated through their association with

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1. The expression is borrowed from Myron Weiner, Congress Party Elites (Carnegie seminar on Political and Administrative Development, 1966, Department of Government, Indiana University), p. 4, where it has been used in a slightly different context.

2. In some cases, members traced the respectability of their family origin in their bio-data. Generally, this was more noticeable among Muslim members. Perhaps the Hindu members did not feel the need as their caste spoke of their origin.



local self-governing bodies, financial or organisational management of developmental works and so on. In fact, positions in these bodies, in, for example, school management committees and such other local associations were evidence of the consolidation of their leadership status. Their political activities and membership of legislature brought them in direct contact with governmental processes. The legislators were no doubt important and influential persons in the society.

## 2. Behaviour.

The first assembly was orderly and sedate, if on occasions somewhat lifeless. The proceedings progressed with predictable regularity. Members mostly appeared well-acquainted with procedural matters, and were relatively restrained in making excessive use of procedural privileges. The behaviour of the second assembly was, on the whole, disorderly and unruly, and on occasions utterly unpredictable. There were inordinate numbers of points of order, information, privilege, personal explanation and so forth. Matters which could be properly brought in through short-notice questions, adjournment motions or cut-motions on demands for grants, were raised by members any time on the floor, at the start of or during the days' session, with the result that the House often proceeded with its business in a disorderly manner.<sup>1</sup>

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1. For instance, explanations or statements were sought from the government on, e.g. strikes, sit-ins, hunger strike by students, demonstrations, processions, alleged lathi-charge or firing by police, ban on religious practice by certain educational institution, contents of telegrams received by members from their constituencies on their various grievances and so on. While all these probably were considered as worthy of mention on the floor by the members concerned, the fact was that, as indicated above, this was not always done through the proper channels of parliamentary procedure. The government also hinted that some of these incidents, e.g. strikes etc., were encouraged by the opposition. It is true that parties in opposition usually encouraged activities which could be regarded as pressure-tactics upon the government by non-political groups; if such activities were already planned and resorted
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At the start of the second assembly, the Speaker as a gesture suspended rule 16(2) of the procedural rules,<sup>1</sup> discarded his hammer and appealed to the 'good sense' of members for orderly conduct. Within minutes, however, he<sup>was</sup> constrained to remonstrate the House,

Why don't you sit down? Won't you listen?  
If you think you can win by shouting, then  
tell me, I shall declare the side which  
shouted the most the winner. 2

Later when the House met for the first regular session in September 1956, the Speaker advised members not to cross the imaginary line between the Chair and speaker on the floor, to always address the Chair, to avoid repetition and not to impute motives, cast aspersions or vilify their colleagues in the House<sup>3</sup>. At the end of the session, the chief minister admitted that there had been 'boisterous moments' and 'rowdy scenes' in the House, but attributed these to the inexperience of members in parliamentary life and hoped that the standard of behaviour would improve with regular sessions.<sup>4</sup> He noted a

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to, opposition parties generally lent their support (or, showed their sympathy), thus exerting a certain pressure on the government and at the same time earning the goodwill of some segments of the community.

1. Rule 16(2) empowered the Speaker to order withdrawal of member from the Assembly for disorderly conduct. See Procedure Rules.
2. EPAP, vol. XIII, pp110-11. Translated from original Bengali.
3. Ibid., vol. XV, no. 1, p. 227.
4. Ibid., vol. XV, no. 3, pp. 323-4.

'distinct improvement' in the next session.<sup>1</sup> The autumn session in 1957 however proved stormy. The Chief Minister urged members, particularly the younger members, to study books on parliamentary procedure and again expressed his hope that the behaviour would improve with parliamentary experience gained through regular sessions of the House.<sup>2</sup> But there was further deterioration with the tangled political situation and the apparent breakdown of party homogeneity and discipline in 1958.

A comparatively large proportion of members of the second assembly were young and lacked parliamentary experience. One feature in the formative phase of their political training had been agitation, first against the foreign rulers during the last days of the British rule prior to 1947 and then against the Muslim League after 1947, which naturally tended to encourage disrespect for authority and for laws or rules prescribing orderly conduct. Their public speaking had been largely confined to addressing at public meetings where the speaker held the stage and the rest were listeners; in contrast, on the floor of the House all were equal participants. The start of the second assembly also was not propitious - the newly elected MLAs did not begin their legislative experience until nearly after two and a half years of their election. But a much more important reason was the somewhat uncertain political alignments and the growing indications of political instability for the large part of the remaining two years when the assembly met regularly, which could not be wholly conducive to the acquiring of, or habitual adherence to, modes and expressions of parliamentary behaviour.

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1. Ibid., vol. XVI, no. 6, p. 151.

2. Ibid., vol. XVII, no. 2, pp. 169-70.

The Speaker of the first assembly had a fairly easy task in conducting the business of the House. His success, to some extent, was also due to his personality and his apparently forthright handling of situations. In the second assembly, the chief minister felicitated the Speaker at the conclusion of budget session in 1957,

Yours, Sir, has been the most difficult task, because you had to control, so to say all kinds of elements who sometimes went out of bounds and... (you brought) the House in order with smile and not with temper at any time. That was the most remarkable thing. Even ... in stopping some one, who might have gone beyond himself, you uttered kind words.... That is a remarkable character that you possess and on that account you have been able to conduct the House so ably and peacefully. 1

To conduct the second assembly and maintain order was of course an immensely difficult task. It was made the more difficult as often members in responsible positions in the government, in opposition and in various parties, themselves engaged in shouting, obstruction and other forms of disorderly conduct. The Speaker hinted at his difficulty,

... if I order the withdrawal of member for disorderly conduct, then Allah alone knows what will be my fate. 2

However, the Speaker himself was somewhat ill-equipped for the responsibilities of his office. At times he appeared to be rather whimsical; his utterances from the Chair were occasionally regarded as provocative by one side or another. He was suspected of forsaking neutrality between contending parties. His administration of the assembly secretariat was also apparently not beyond criticism.<sup>3</sup> All these combined to erode

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1. Ibid., vol. XVI, no. 6, p. 151.

2. Ibid., vol. XVIII, no.3, p. 65. Translated from original Bengali.

3. See, pp. 46-8 and 296-98 above.

the authority and dignity of the Chair. In such circumstances, to enforce discipline of behaviour and bring order in the House became an even more difficult task.<sup>1</sup>

### 3. Speech : styles of participation.

Members had their own individual style of speaking. Some were direct and matter-of-fact, some rambling; members who kept calm and unruffled through repeated interruptions, while others who lost their thread of argument and their temper at the slightest distraction; some members who received the full attention of the House whenever they rose to speak - the House did not seem to begrudge them if they spoke often, while some others apparently taxed the patience of the House, as it were, whenever they took the floor; members who spoke in oratorical style of public meetings; those who thought they ought to have their say on every matter that came before the House; members who would not let a constitutional issue or procedural matter slip by, often appearing to others to be over-vigilant to the extent of causing obstruction. The House consisted of so many members, each with his own conception of his role on the

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1. A glance at the proceedings of the Constituent Assembly/ National Assembly during 1947-58 also shows the differences in the conduct of the House in the light of personalities of those who held the Chair - Jinnah, Tamizuddin Khan and Abdul Wahab Khan. The second Constituent Assembly, which later continued as the National Assembly, appears to have had some common features with the second assembly in East Pakistan, e.g., a large intake of new members, lack of party discipline, and disorderly conduct amounting to disobedience and, at times, affrontery to the Speaker. For a brief reference to the disorderly conduct in the provincial Assembly of West Pakistan, see, Sayeed, Political System, p. 85 and also footnote 40.

floor and individual style of speaking and delivery. It is difficult to set out a definite pattern or standard, and still more difficult to compare or evaluate the performances accordingly. It was in fact an admixture of so many different styles, and ways of thinking, - some of the distinctions were not even as clear-cut as made out above, but one fading into another. Besides, a substantial number of members never spoke at all. In the first assembly, a little over two-thirds took some part in debates and discussions, while only about a half were regular participants. In the larger second Assembly, a proportionately lesser number - slightly more than half, spoke at all in the House, while a little more than a third were regular participants in debates and discussions.<sup>1</sup> Of the politically important, for example, Yusuf Ali Chowdhury, Abdullahel Baqui and Abul Mansur Ahmed hardly ever spoke on the floor. For members of their stature of course, there was not much need to speak in the assembly. They had other and more direct means of influencing decisions whether in or out of governments. They also had other important arenas, e.g. top party offices and membership of the central legislature, where

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1. For the purpose of calculations, the total strength of the assemblies have been taken as shown in p.393 footnote 1. However, the factors for arriving at the figures for those who spoke at all and those who spoke regularly, have been quite arbitrary. All those, irrespective of their role in the House or the government, who spoke outside Question Hour and spoke more than two sentences have been taken into account, - regular participants were those who spoke in almost every budget session and/or in discussions of important bills, adjournment motions and resolutions etc. The trend in the differences in participation in the two Assemblies is also borne out by the number of participants in Question Hour. (See p.326 footnote 4). It has also been seen that those who asked more questions, e.g. 10 or more in each assembly, were also among the more regular participants in debates.



they could effectively make their presence felt. Their constituencies and the general public were aware of their political views and activities which appeared regularly in the press. Those who were not politically prominent and yet chose to keep silent probably preferred informal behind-the-scene methods to the formalities of speaking on the floor, and they as well as those who mattered for their political career, believed in the efficacy of their particular methods. Also, of course, the assembly was not the only place where they could express their views as members of legislature; there was also the forum of the parliamentary parties.

The proceedings of the assembly were carried on in English and Bengali. English however was in more frequent use.<sup>1</sup> Obviously, those with higher educational qualification felt at ease in English. They were accustomed to it as the language of the office, the court, in short, of the business of government. Perhaps also for this reason, those who did not have the same proficiency, also spoke the language. Three members in all also spoke in Urdu.

#### 4. Members and their constituencies.

Constituencies were, of course, of important consideration to members, though the extent and nature of links maintained varied in individual cases.<sup>2</sup> Not all would appear

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1. Quantitatively, Bengali covered roughly one-fifth of the proceedings of the first and nearly a third of the second assembly.
  2. A member noted the expenses involved in keeping correspondence with constituencies and urged reduction in charges of stationery etc. supplied by the assembly secretariat.  
EPAP, vol. XVI, no. 2, pp. 19-20.

to have taken initiative in cultivating their constituencies. The 'politically conscious and those with eyes on the future' visited their constituencies with some regularity. Those whose responsibilities kept them engaged otherwise, e.g., ministers, whips, provincial office-bearers of parties, naturally had very little time and opportunity to visit their constituency areas.<sup>1</sup> Contact with constituencies took various forms - correspondence, interviews, deputations, meetings at personal levels, public meetings etc.<sup>2</sup> Members were approached both for personal favours and with requests for amenities or benefits of public nature. They also on their own took up matters of constituency interests. The MLAs approached the local or district authorities or departmental officials concerned, or other responsible agencies, party leaders, ministers, or chief minister according to the nature of the demands and needs. Often, they were able to successfully attend to these at the levels of local or district authorities, departmental officials and other responsible agencies - 'the fact that

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1. For an account of travelling allowances (given in reply to a question) drawn by ministers and parliamentary secretaries for visiting their home districts during 1947-51, see EBLAP vol.X, no. 1, pp. 89-92. The figures show that while most maintained what could be regarded on the basis of amount drawn, rather nominal contact through personal visits, a few apparently were over-zealous.
  2. It seems members generally lived sufficiently near their constituencies, in their district headquarters or sub-divisional towns, if not exactly within their constituency areas and came to the provincial capital for attending sessions. Apart from those who came from Dacca or near-about, the Alphabetical Lists of Members noted the Dacca address of only a third of the members of the first legislature and about a fifth of the second. A large number of these again appeared to have been non-permanent or non-residential address, e.g. MLAs' hostels, party offices, boarding houses and the like. Ataur Rahman Khan, however, hinted that 'many members' came to reside in the provincial capital. Op.cit., p. 203.

they were MLAs was enough'. Also, members presence in the various developmental committees in sub-divisions and districts provided them with the 'opportunity to advance their constituencies claims'. While members of the government party had direct access, government party leaders and ministers were not exactly inaccessible to opposition members. It has been noted by a member of the second assembly that in fact these could be used as 'baits' by the party in power.<sup>1</sup>

Matters concerning constituency grievances or demands were also raised by members on the floor of the House through questions and during debates on budget. In fact a very substantial proportion of questions referred directly to matters connected with the members' constituencies.<sup>2</sup> While general discussion of budgets was devoted usually to an examination of the budgetary principles etc., motions for demands for grants gave members the opportunity to speak on their constituency grievances, needs and demands. Both opposition and government party members (though the latter could not move or vote on cut-motions on demands for grants) made extensive use of this device to project the interests of their constituencies.<sup>3</sup>

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1. The above paragraph is based on interviews of the present writer with Nurul Amin, M. Korban Ali, Sheikh Mujibur Rahman, Mrs. Badrunnessa Begum, Hashimuddin Ahmed, Syed Azizul Huq and Rasaraj Mondal, during April, 1969. The expressions quoted in the paragraph are from Nurul Amin, Korban Ali, Rasaraj Mondal and S.A. Huq, respectively. Ataur Rahman Khan recalled the disappointment of some of his party members at their 'loss of face' in their constituencies because of the government's acceptance of proposal from opposition member which benefitted the latter's neighbouring constituency. (*Op.cit.*, pp.207-8). Interestingly, a cut-motion was moved during budget session in 1958, to raise 'a discussion about the discriminatory treatment of the Government in distribution of grant in the constituency of the members of Government party and members of the opposition'. *EPAP*, vol.XX, p.203.
  2. See also, pp.319-20 above.
  3. Some use was also made of adjournment motions by opposition members, but its use was limited under the rules to 'urgent matters of public importance'. However, roughly a third of the adjournment motions actually moved in the first and second assemblies related to the members' constituencies.

## 5. Salary and privileges.

Membership of legislature was by no means a financially lucrative job. In terms of monthly salary, the job ranked with that of clerical officers<sup>1</sup>. But the real attraction lay in the proximity to political power, to which such position brought. It made them part of the policy framing process of government with powers, theoretically at least, to influence and make policies for the country and affecting their constituencies. It brought them close to the levers of the powers of government at various levels, to be able to use them for the benefits of their constituencies, their people and themselves. This access to governmental powers and decisions and the attendant privileges of membership assured them positions of influence in the society.

There was, however, a wide gulf of difference between members of legislature and ministers in terms of financial remuneration as well as political power. In so far as the latter, the difference, reduced to somewhat simplified form, may be stated thus - while members had access to political power, the ministers exercised that power - while the former had access to patronage, the latter in fact were largely the dispenser of it. In financial terms, the salary and other financial benefits made the ministers job tremendously attractive - more so to those members in the legislature who felt that they were also equally eligible.

Members received a salary of Rs.200 per month, in addition to daily and conveyance allowances for sessions, under the Bengal Legislative Assembly (Members' Emoluments) Act, 1937 and a subsequent amendment Act of the East Pakistan Assembly in 1956.<sup>2</sup>

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1. The difference of course was that one was a full-time job, while the other was in fact part-time, allowing members to pursue their individual occupations.

2. Indian Annual Register, 1937, vol.II, pp.134-5, EPAP, vol.XV, no.3, pp.308-10.

Members, however, did not appear dissatisfied, on the floor of the House, with what must be regarded as meagre financial remuneration. On the contrary, there were occasional mentions that they failed to fully discharge the responsibilities for which they were being paid. A private members' bill to increase the salary to Rs.300 per month along with some increment in the allowances, was moved in the second Assembly in September 1957. It was stressed that the salaries and allowances were being adjusted to a higher level because the duties of membership of legislature demanded more attention than in the colonial days (when the existing salaries had been fixed), which 'hampered' with members 'vocation in life'.<sup>1</sup> The bill was passed by the House in the face of apparent reluctance on the part of the government. In the noise and confusion that prevailed in the House at the time, practically no debate could be held.<sup>2</sup> Later some opposition parties expressed their opposition to the bill.<sup>3</sup> However, the bill appears to have failed to receive the assent of the Governor because of non-compliance with procedure for bills requiring financial measures.

The salaries of the chief minister and his cabinet colleagues were Rs.1,800 and Rs. 1,500 per month, respectively.<sup>4</sup>

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1. For statement of objects and reasons of the bill, see Dacca Gazette Extra-ordinary, Sep. 28, 1957.
  2. EPAP, vol. XVII, no. 2, pp. 134-8.
  3. Azad, Oct. 2, 7, 1957.
  4. This represented a substantial voluntary cut accepted from January 1948, from the amount fixed under the Bengal Ministers' Salaries Act, 1937. The opposition maintained that this reduction was to a large extent compensated by the other benefits and allowances enjoyed by them. For example, see EBLAP, vol. IX, no. 1, pp. 138-42.

Besides they were entitled to free-furnished accommodation and car allowance of Rs. 300 per month. The chief minister received sumptuary allowance of Rs.15,000 per annum.<sup>1</sup> The Speaker of the assembly was entitled to the same salary, allowances and privileges received by a minister.<sup>2</sup>

In 1954 election the United Front pledged that ministers were to accept a salary of not more than a thousand rupees.<sup>3</sup> At the start of the budget session in 1958 the government introduced the East Bengal Ministers' Emoluments (Amendment) Bill. However, due to the political developments of the year, during which very little legislative business was performed, the bill did not progress beyond the stage of first reading.<sup>4</sup>

Members of the second legislature appeared to have been more conscious of their status. A resolution moved by a private member and accepted unanimously by the House, urged upon the central government to include MLAs in the warrant of

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1. Chief whip and chief parliamentary secretary received a salary of Rs.500 and conveyance allowance of Rs.200 per month. Political secretaries, whips and parliamentary secretaries received the same salary with Rs.100 per month for conveyance. EPAP, vol.XV, no.1, pp.6-7.
  2. For the East Bengal Ministers' and Speaker's Emoluments Act, 1950, as amended in 1952, see East Pakistan Code, vol.VII, pp.109-10. Also see EBLAP, vol. IV, no.8, pp.238-9; vol.IX, no.1, pp.136-52, 164-9.
  3. See, 21 Points and Awami League, a party pamphlet in Bengali published by the publicity secretary, EPAL, (1957). It was stated that ministers of the AL coalition government did not in fact take more than a thousand rupees as salary.
  4. EPAP, vol.XVIII, no.1, p. 57. The detail provisions of the bill are not available. In course of budget discussion in 1958, a member criticised the government for bringing in the Ministers' Emolument Bill, which provided for an increase in their sumptuary allowances, while new taxes were to be imposed on the people. EPAP, vol. XVIII, no.2, p. 107.



precedence and to raise the precedence of the Speaker higher than in the existing warrant. The resolution however was not implemented.<sup>1</sup> The Assembly Members' Privileges Act of 1958<sup>2</sup> incorporated the essence of the resolution and provided that the position of MLAs should be the same as members of the central legislature within their charge. The statement of objects and reasons for the Privileges Bill stated that in the absence of any Act determining the extent of privileges of members of the Assembly, except those provided in the constitution, 'the status of the members of the Provincial Assembly in the present set-up cannot be estimated, and in the end it affects the development and character of the Provincial Assembly itself'.<sup>3</sup> The bill, however, emerged from the select committee substantially modified. The Privileges Act gave certain financial benefits to members. It provided that stationery and postal charges for communications of members with the assembly secretariat regarding any matter to be brought before the House etc. were to be borne by the assembly secretariat; free copies of acts, rules, regulations etc. and all other publications of the provincial government, the central gazette as well as laws, rules and regulations of the central government; one pass to travel in first class by railway, steamer and air throughout the province; daily allowance of meetings of the assembly, committee etc. irrespective of place of residence; medical facilities during session of the Assembly or during discharge of duties as member of the House anywhere in the province. Members' status with the administration was also strengthened. They were entitled

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1. Ibid., vol. XV, no.3, pp. 149-50, vol. XVIII, no.4, pp.22-3; Dawn, Oct. 1, 1956.

2. See, pp. 390-91, above.

3. For statement of objects and reasons and the bill in its original form, see, The Dacca Gazette Extraordinary Apr. 10, 1957.

to accommodation in Circuit Houses and such other places under the control of the government, and in determining priority members of legislature were deemed to have the same status as the District Officer; they were deemed to be Class I gazetted officers for the purpose of giving certificates of character and identification; they were entitled to visit jails, reformatories, hospitals, dispensaries and educational institutions located within their respective districts and submit their reports to the ministers-in-charge of the departments concerned. The traditional privileges of membership of legislature were also guarded and strengthened. They were not liable to any civil or criminal proceedings for giving notice of or actually bringing up any matter before the assembly by bills, petitions etc., and were exempt from proceedings for publication of report, proceedings etc. The Speaker of the legislature was to be informed of arrests, detentions, conviction and release of members indicating the reasons for arrests or detention and the nature of offence.<sup>1</sup>

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1. East Pakistan Code, vol.VII, pp.695-700; EPAP vol.XIX, pp.8-19. Several members of the first and second assembly suffered detentions under Public Safety Ordinance and similar legislation. For example, in the first legislature, Shamsul Huq in 1949, two Hindu members during the communal disturbances of 1950, three Hindu and three Muslim members in connection with the language disturbance in 1952. In reply to query from the leader of opposition with regard to the latter arrests, the Speaker informed the House that the reasons for the arrests were not intimated to him. During the budget session in 1953, a cut-motion was moved for the failure of government to release members, held under Public Safety Ordinance, to take part in the assembly as representatives of their people. At the start of the second legislature, the Speaker took the stand that detention of members practically disenfranchised their constituencies and demanded the presence of the five members who were then held as security prisoners, for attending the session. See, EELAP, vol. IV, no.7, p.49; vol.V, no.2, p. 388; vol. VIII, pp. 9-10; vol. IX, no. 1, p. 267; vol. X, no. 1, p. 334; EPAP, vol. XIII, pp.13-14. It would appear, however, that such arrest, detention and imprisonment under the British rule and also subsequently were thought of as enhancing the political status of members. In their bio-data supplied to the assembly secretariat and as published in the Directories (see, Appendix XII), members mostly mentioned about such arrests, detentions or imprisonments in their political career.

## CHAPTER VII

### CONCLUSION

A Constitution Commission was appointed by President Ayub Khan in February 1960 'to examine the progressive failure of parliamentary government in Pakistan leading to the abrogation of the Constitution of 1956 and to determine the causes and the nature of the failure'. The Commission was also 'to consider how best the said or like causes may be identified and their recurrence prevented', and to submit constitutional proposals after having taken into account, among other factors, 'the genius of the people'.<sup>1</sup> The underlying assumption, the Commission observed, was that parliamentary government 'could not be successfully worked in the country'. The Commission indicated its preference for a presidential form of government. The constitution promulgated in 1962 provided a presidential form of government for the country.<sup>2</sup> The legislative assemblies

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1. Report of the Constitution Commission, Pakistan, 1961. For details of terms of reference, see p.1. The expression 'genius of the people' is also to be found in Ayub Khan's 'A short appreciation of present and future problems of Pakistan', where he put down his ideas on 'what is wrong with the country and what can be done to put things right' - in October 1954. The ultimate aim of Pakistan's becoming 'a sound, solid and cohesive nation' could only be achieved 'if as a start a constitution is evolved that will suit the genius of the people and be based on the circumstances confronting them'. For the document see Ayub Khan, op.cit., pp.186-91. In a later article, he wrote of the politicians of the pre-martial law period that 'they were rather sinned against than sinning' in that 'they were given a system of government totally unsuited to the temper and climate of the country'. Mohammad Ayub Khan, 'Pakistan Perspective', Foreign Affairs, vol. XXXVIII, no.4 (July, 1960), p. 550.
  2. For a discussion on the recommendations of the Commission and the differences between the recommendations and the provisions of the 1962 constitution, see Vorys, op.cit., pp. 209-28.

under the new constitution were first elected in May 1962 and then again, at the expiration of their first term, during March and May 1965.<sup>1</sup>

The present thesis, however, did not set out from the premise that parliamentary government had failed to function, particularly in the case of East Bengal. Instead, the objective was to examine how it functioned. There were some compelling reasons for adopting this course. The East Bengali politicians generally, who had participated in the 1947-58 system, had disagreed with the verdict of the initiators of the new order. They had generally taken the stand that parliamentary system had not been given a fair trial.<sup>2</sup> On the reception of the 1962 constitution, it was noted 'In general in East Pakistan, however, there was sullen silence'.<sup>3</sup> The demand for the restoration of parliamentary government was fairly persistent in East Pakistan<sup>4</sup> and also to some extent, in West Pakistan.

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1. See, The Constitution of the Islamic Republic of Pakistan, 1962 (as modified up to August 1965), article 230; Report on General Elections in Pakistan, 1964-65, vol. I, pp. 4-12.
  2. Abul Mansur Ahmad, op.cit., pp. 497-8; Ataur Rahman Khan, op.cit., pp. 315-7. Also see, Sayeed, Political System, p. 193.
  3. Vorys, op.cit., p. 231.
  4. East Pakistan's demand for parliamentary government could also be viewed from another angle. Only in a parliamentary government could she expect to play some meaningful role in the control of the executive at the central level. A legislature with a limited role, as in the constitution of 1962, denied her that opportunity. A legislature, elected on 'one-man, one-vote' or on parity basis, was her only possible source of strength, for in the other spheres of power - the bureaucracy and the armed forces - her representation was negligible. For a similar view, see Sayeed, Political System, pp. 193-4.

The National Democratic Front, first organized by Suhrawardy in 1962, which was a 'loose alliance' of opposition forces and included 'most major political leaders in East Pakistan', campaigned for the restoration of parliamentary government<sup>1</sup> and demanded the reinstitution of the 1956 constitution.<sup>2</sup> The 6 Points Formula, enunciated by Sheikh Mujibur Rahman in the beginning of 1966 and subsequently adopted by the Awami League council, incorporated the demand for a parliamentary government.<sup>3</sup> The Pakistan Democratic Movement, formed in 1967, included the demand for parliamentary government in its programme.<sup>4</sup> The Democratic Action Committee, composed of representatives from the opposition parties in January 1969 as the movement against Ayub regime gained momentum, set out as one of its eight points - 'a federal parliamentary system of government'. By February-March 1969, President Ayub Khan accepted the demand for restoration of parliamentary government.<sup>5</sup>

The Constitution Commission had identified the 'real causes' of the 'failure' of parliamentary government as mainly 'the lack of leadership resulting in lack of well-organized and disciplined parties, the general lack of character in the politicians and their undue interference in the adminis-

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1. Vorys, op.cit., pp. 257-67
  2. Declaration of Objectives, National Democratic Front, January 1964, published by Office Assistant, East Pakistan Committee of National Democratic Front.
  3. 6-Point Formula: Our Right to Live, Sheikh Mujibur Rahman, President, East Pakistan Awami League, March 1966.
  4. Programme and Organisational Structure of the Pakistan Democratic Movement (1967). (Cyclostyled).
  5. For background and assessment of political developments during the period, see Richard S. Wheeler, op.cit., pp.310-32; Lawrence Ziring, The Ayub Khan Era: Politics in Pakistan 1958-1969 (Syracuse, New York: Syracuse University Press, 1971), pp. 10-110.

tration'.<sup>1</sup> To prevent a recurrence of these causes, the Commission suggested some moral training and education reforms aimed at moulding the general character of the people. But these were 'long-range measures which would take time to yield results'. The Commission then proceeded to suggest a form of government which would implement these and other steps with sustained efforts, prevent a recurrence of those causes noted above and provide stability of government.<sup>2</sup>

In discussing the suitability of parliamentary government to these ends, the Commission examined the various suggestions put before it. The argument that 'requisite type of parties' would emerge in a parliamentary democracy after a few elections, was discarded because during the interim period which could be 'at least a decade' 'instability of government' would be a constant feature. The Commission also did not agree with the view that the country had been accustomed to the 'British type of government for a long time, for, prior to the coming into force of the Government of India Act, 1935, the government was in effect more of the presidential type'. As for the impression that parliamentary government was a success in India, the Commission noted (referring to Ivor Jennings, The Approach to Self-Government, pp. 16-18) that the circumstances of partition had left the Pakistani leaders with a much more difficult task in organising the new state and that the country also suffered from dearth of leadership. It further offered some explanations as to why a substantial leadership failed to

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1. The Commission grouped the various views expressed before it in course of its enquiry into three, and agreed with the above view. The other two views are noted below.

2. Report of the Constitution Commission pp. 5-20.



emerge in the Muslim League. The Commission also noted (with the help of a speech of the Speaker of the Indian Lok Sabha, as reported in the Statesman on January 2 and a leading article on January 26, 1961) that 'all was not well with the Congress in the Indian States'. The Commission thought the proposals to restrict the number of parties to secure a two-party system and to put restriction on change of party affiliation, would pose some practical difficulties. As for the suggestion that conventions obtaining in the United Kingdom be incorporated in the constitution, the Commission noted some difficulties and observed,

... we fail to see how, by adopting certain known conventions as statutory provisions, we would secure stability of government when, as we have said above, we do not have the type of leadership as well as membership of the legislature required to successfully work the parliamentary form. Till the average member of the legislature develops a sense of political responsibility and ceases to put political pressure on the ministry for his own ends, even definite provisions of the constitution are likely to be disregarded.

As regards the suggestions for providing 'statutory prohibition of interference by the politicians and the ministers in the day-to-day administration, and stringent laws for punishing them for misconduct', it was noted,

The tendency of the ministers was to interfere in matters of transfer, promotions and such other details, in order to keep their political supporters satisfied. It would be of little comfort to an average member of the legislature, who approaches a minister to interfere in the matter of a transfer or appointment as a favour, to be told that there is a prohibition against it. He would prefer to support a minister who would not hesitate to disregard such prohibitions and therefore, there would be instability, if the minister refuses to interfere, or undue interference if he yields to such requests.

... enactments ... would be a deterrent only against a minister being corrupt and not in respect of interference and maladministration to keep himself in position.

The Commission thought that a specific provision in the constitution prohibiting interference by the President as suggested

may not be conducive to the welfare of the country, for the party in power, though in a majority in the House, may have lost completely the confidence of the nation, and, if the head of state cannot interfere, there would practically be a rule of the few as against the wishes of the electorate.

Parliamentary government presupposed an impartial Head of State. But an elected Head of State was unlikely to remain aloof.

An elected head of state must naturally be a person who commands the confidence of the people, and if he happens to be a strong person and the Prime Minister, who equally should have the confidence of the people, is also equally strong, clashes between them, particularly in a country like ours, where the sense of political responsibility has yet to be developed fully, are bound to occur. Our past political history, short as it is, bears this out. As long as either the Prime Minister or the Governor-General was not a strong personality, there was only one person, for all practical purposes, at the head of affairs.

'As long as the parties are not disciplined and organised enough to stand together against autocratic acts', the Commission observed, 'an elected head of state in the parliamentary form of government has much scope to indulge in party politics if he is so inclined'.<sup>1</sup>

The Commission recommended 'a form of government where there is only one person at the head of affairs, with effective restraint exercised on him, by an independent legislature members of which, however, should not be in a position to seriously interfere with the administration by exercising political pressures for their personal ends'. It was thought

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1. The above has been summarised and quoted from ibid., pp.20-8.

that 'once the opportunity for exploiting the membership of the legislature for extracting advantages from the executive is removed, persons who would stand for election would be those who are capable of understanding, and desirous of performing, the legislative duties and not those who, as in the past, regard their election as an investment for drawing dividends from the executive'. The fundamental difference between parliamentary and presidential form of government was that while in the former the prime minister would be dependent on the support of the legislature, in case of the latter the President would not depend upon the legislature for his continuance in office. 'Further, under the presidential form, administrators can be selected from amongst the ablest of men available and not necessarily from amongst the members of the Parliament, while the Prime Minister under the parliamentary form may not be a man of great merit, nor can he, in his turn, select his ministers only on merit'. Of course, the President could not ignore the members of the legislature.

On the other hand, he must have influence in the House sufficient to afford facilities required for the purposes of legislation, especially the passing of the appropriation bill. In the nature of things, he will be the Leader of a party and he must also carry the other representatives of the people with him, as he is both the Head of State and Prime Minister rolled into one .... These heavy responsibilities ... can be discharged only when the President is capable of acting with both courage and humility. 1

The Commission's arguments in favour of a presidential system seem to have been based on some fundamental suppositions, which perhaps could not be regarded as totally acceptable: the

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1. The above has been summarized and quoted from ibid., pp.28-31.

President of a presidential system; evidently a politician himself, would not be possessed of the 'evils' which characterised the general run of politicians of the preceding period; the parties divided as they were likely to be, inheriting at least initially the feature of the immediately preceding period, and the politicians self-motivated as they were, in like manner, would be able to produce a President who was above these propensities (unless of course the initiating period was 'tailor-made' for Ayub Khan); a presidential form would not bring in its train a set of self-seekers and there would be no clamours for the utilization and distribution of the spoils of office; members of the legislature in a presidential form would not interfere, or interfere only to a limited extent, with regard to transfer, promotion etc. of officials; the President would be able to influence the legislature and obtain his majorities without the least use of pragmatic considerations (even if the fragmenting feature of parties is not substantially eradicated).

In other words, the view taken here is that the Commission's arguments for believing that the presidential system could guarantee the elimination of the ills which beset the parliamentary system, are not conclusive. It is not clear how and why 'the lack of leadership resulting in lack of well-organized and disciplined parties, the general lack of character in the politicians and their undue interference in the administration' - political features which were identified as the 'real causes' of the 'failure' of the parliamentary system would not affect the functioning of a presidential government. In that case, the question arises, how could the parliamentary system be said to have been less satisfactory? Could it in any case be said that the parliamentary system had

failed to function for the reasons which the Commission suggested?

If stability of government were the test of success of a system of government, then certainly parliamentary government showed signs of collapse and failure in East Pakistan particularly during 1958 and at the national level in Pakistan from 1955 to 1956. Then again, if the reasons for the 'failure' of the system are to be measurable by the extent the 'principle' of the system was vitiated, then there is the need to look more closely at some of the other reasons put before the Commission, in course of its enquiry, as responsible for the failure of parliamentary government, namely 'lack of proper elections and undue interference by the Heads of the State with the ministries and political parties and by the Central Government with the functioning of the governments at the provinces'.<sup>1</sup> A realistic equation of legislature-bureaucracy-armed forces at the national level would have also given some insight into the realities of politics and the nature of functioning of the system. The failure of the independence politicians and party and of the Constituent Assembly to produce a constitution without undue delay shaped the political developments to some extent. It would have been worthwhile to investigate the reasons for the delay. Again, it could of course be argued that a constitution was practically ready when Governor-General Gholam Mohammad dissolved the Constituent Assembly.<sup>2</sup> It has been appropriately

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1. Along with 'lack of proper elections' the Commission combined 'defects in the late Constitution' in one group of reasons and left the remainder in another. The third group of reasons with which the Commission concurred has been noted above.

2. Callard, Political Study, p. 148.

suggested that from the time of Gholam Mohammad's rise to the office of the Governor-General in 1951, 'the vice-regal tradition, not the parliamentary experiment, proved dominant'.<sup>1</sup> The nature of politics and the play of political and non-political forces at the level of central politics must be the chief focus of attention for an understanding of the functioning of parliamentary system during 1947-58.

If the Commission had not been precluded by its terms of reference from investigating whether the parliamentary system of government had failed to function successfully (the terms of reference assumed the failure), then a desirable approach would have been to attempt to separate the political processes at national and provincial levels and also to note the variations and motivations of political forces in the two provinces, in order to represent adequately the nature of functioning of the system.

A critical analysis of the functioning of the East Bengal legislature during 1947-58 reveals some shortcomings. The legislative institution had a weak organisational existence. It failed to develop a strong independent character for a number of reasons. The Muslim League government, in power during 1947-54, seemed to have preferred a docile and inert legislative body which could <sup>be</sup> conveniently ~~be~~ ignored and easily controlled. During this important initial period, the Speaker also failed to fulfil what should have been his primary task of strengthening the structure and organisation of the legislature, removing it from the position of appendage of the executive government, so that in both its administration and

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1. Ziring, op.cit., p. 123.



its functions it could be properly deemed as a legislature of a responsible government system. The Speaker of the second assembly damaged the status of the legislature as he was not able to remain in his role as a neutral observer of party politics or to discharge fairly his administrative functions, but became instead involved as an active participant and an interested party. There was also the tendency on the part of those in power - as evident from the decision to extend the life of the first assembly by suitable interpretation of provisions and a convenient amendment of the constitution (by the ML) and in the second assembly from the frequent amendments of rules of procedure of the House (by both the UF and the AL coalitions) - to manipulate the 'rules of the game' to serve their particular interests. Members of the second assembly particularly were seemingly more engrossed in political activities, involving defections and alliances with a view to making and unmaking of governments, than in parliamentary activities.

There were instances of flagrant disregard of the legislature. The Muslim League held the by-elections in abeyance as soon as it became evident that it was no longer invulnerable at the polls and continued in power by carrying the legislature beyond its originally stipulated period. The UF coalition refused to put the vacant seats to by-election or even to face the legislature. But a most redeeming feature was that these could really be regarded as temporary phases in the functioning of parliamentary government, - for, the governments which violated such basic principles ultimately had to go out of office and practically suffer total rejection. The 1954 election could be taken as complete rejection of the ML and the by-elections, held after the UF coalition was succeeded by the AL coalition, were a mark of censure against the KSP which was

the leading partner in the UF coalition.

During 1954-58, the indecisive political composition in the assembly lent impetus to fragmentation of political parties and changing of political alliances. But it was only towards the end, in 1958, when increasing fragmentation of parties and swiftly changeable party ties resulted in ministerial instabilities approaching virtual deadlock, that it could be said that the system had evidently reached a breakdown point.

Perhaps it is useful to refer briefly here to other assessments made of the position and functioning of legislatures in Pakistan in order to place the East Bengal legislature in a wider perspective. It has been noted, while discussing the initial years, that the central legislature was not treated 'seriously' by the central government and that it did not have a vigorous existence.<sup>1</sup> A later study confirmed these earlier patterns. Commenting on the functioning of the Constituent Assembly as the federal legislature, it was observed,

... what was lacking in the Assembly was a 'sense of the House', a feeling that it is Parliament that sets the standards of public life, and that ministers are to be measured by the House and not the House by ministers. This is the essence of responsible parliamentary government, and it was not present in Pakistan's Constituent Assembly .... The government habitually treated the House with disdain, and it was never permitted to have much self-esteem. Its sessions and business were chopped and changed to meet the convenience of those who had power. Governments were made and unmade but not by the Assembly. All that the House could do was to counter arbitrary action on the part of its masters, by conspiracy and intrigue behind closed doors. 2

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1. Sayeed, Formative Phase, pp. 328-34.

2. Callard, Political Study, pp. 117-8.

The dominant and political role played by the Heads of State also affected the status and functioning of the central legislature.<sup>1</sup> Another assessment of the position of the central legislature has shown 'a contempt for the Assembly by the executive'.<sup>2</sup> It has also been noted that the 'political history of the former provinces of the Punjab and Sind is replete with the wreckage of parliamentary institutions at the hands of the parliamentarians themselves'.<sup>3</sup> There were instances of serious lapses in both the principles and functioning of parliamentary government in the West Pakistan legislature.<sup>4</sup>

The breakdown in East Bengal legislature towards the end of 1958 could probably have been met by the imposition of central rule until the political composition was stabilised, and if that failed, by a fresh poll giving an opportunity for decisive majorities to emerge. When the period of two months of President's rule proved insufficient to yield firmer party lines, the centre did not re-impose its rule in August-September; nor is the centre known to have firmly indicated, during June-September, the need for serious thought to dissolution should political stability continue to prove illusive.<sup>5</sup> In this connection several factors are significant.

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1. Ibid., pp. 125-48.

2. Wheeler, op.cit., pp. 169-70.

3. Mushtaq Ahmad, op.cit., p. 178.

4. G.W.Choudhury, Democracy, pp. 121-5.

5. A general election, involving national and provincial legislatures, was imperatively overdue as no general election had been held in the eleven years since 1947. The tenure of the East Bengal assembly elected in 1954 would have expired in early 1959.

Foremost, but still not known, are the considerations in the minds of those responsible for the promulgation of martial law in October 1958.<sup>1</sup> The highly unconstitutional act of the President in aligning himself with the anti-AL forces seriously aggravated the political situation. Mirza's involvement in politics and particularly during 1958 has been explained,

Mirza never ceased to act as the Political Agent on the North-West Frontier he had been.... Mirza regarded the whole of Pakistan as a sort of north-west Frontier, where his role was to set one party against another and preserve himself in power. Either he would bring about a change in the Centre and the new Prime Minister would try to place his supporting parties in the provinces or he would try to upset governments in the provinces with the result that this would disturb the coalition at the Centre .... The President had one object in mind - and that was to get himself elected as President after the next general elections. 2

The party in power at the centre could not be firm with the AL party for consideration of its own survival. It should also be noted here that the centre in fact had never been able to establish itself as a neutral observer of provincial politics or in an umpire role between contending parties in provincial arena.<sup>3</sup> In fact, it has been observed that the 'parliamentary collapse in the provinces between 1955 and 1958

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1. Ayub Khan's account perhaps cannot be regarded as the true 'inside-story'. Op.cit., pp. 58-71. For some pertinent questions, see Abul Mansur Ahmad, op.cit., pp. 501-2. A foreign observer noted, 'A recent bloody uproar in East Pakistan's legislature and other incidents may have influenced the timing, foreign diplomats said, but the overthrow of parliamentary rule was not an overnight inspiration'. New York Times, Oct. 9, 1958, p. 5.
  2. Khalid Bin Sayeed, 'Collapse of Parliamentary Democracy in Pakistan', The Middle East Journal, vol. XIII, no.4 (1959), pp.398-9. The fighting in the East Bengal assembly was pictured in a cartoon in a West Pakistan newspaper, as a puppet show with Mirza pulling the strings.
  3. See, Vorys, op.cit., pp. 92-3; Callard, Political Study, pp. 159-63.

was largely attributable to the cumulative effects of the manipulation of parliamentary government by the central authorities after independence'.<sup>1</sup>

East Bengal resented central rule. Suspension of parliamentary government meant bureaucratic rule with perhaps the shadow of the armed forces in the background - spheres of power which were either overwhelmingly or exclusively dominated by non-Bengalis. Central rule in fact meant non-Bengali rule and was often regarded as anti-Bengali. In contrast, it could be said that India was more successful in keeping the states of the union together in a corporate whole and in preventing alienation sentiment from developing too far. Because of economic exploitation and political domination (the representation and the language issues were two of particular importance), there developed, in the federal structural relations, a built-in antipathy and feeling of alienation in East Bengal's attitude towards the centre. Rule from Delhi could possibly be seen by eastern and southern States of India as rule from the distant north, but not as rule by one state over another. In Pakistan, rule from Karachi could be viewed in East Bengal as West Pakistani, and particularly Punjabi, rule.

A majority of political parties in East Bengal during the period could not possibly qualify as such if judged by the following criteria, which have been suggested as requisite characteristic features of political party, namely '(1) continuity

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1. Wheeler, op.cit., p. 192.

in organization - that is, an organization whose expected life span is not dependent on the life span of current leaders; (2) manifest and presumably permanent organization at the local level, with regularized communications and other relationships between local and national units; (3) self-conscious determination of leaders at both national and local levels to capture and to hold decision-making power alone or in coalition with others, not simply to influence the exercise of power; and (4) a concern on the part of the organization for seeking followers at the polls or in some manner striving for popular support'.<sup>1</sup> Evidently, apart from the ML (at the initial stages), the AL and the NAP (to some extent), the other parties lacked one or more of these characteristics. The chief drawbacks were lack of proper well-organised and regularly functioning party machinery and a lack of political recruitment. Regular elections on the basis of universal suffrage compel parties to forge organisational existence in order to survive the electoral battles. They also encourage members, elected to the legislature, to tend to their party ties. It could also be suggested that if the ruling or dominant party has a developed organisational machinery, the competing parties must necessarily undertake organisational activities and turn attention to recruitment and viable linkages, in order

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1. Joseph LaPalombara and Myron Weiner, 'The Origin and Development of Political Parties', LaPalombara and Weiner, ed., Political Parties and Political Development (Princeton, New Jersey. Princeton University Press, 1966), p. 6. In the context of East Bengal as a province, 'national' here could be substituted by 'provincial' and 'local' by 'local self-governing bodies'.



to be able to confront the ruling party.<sup>1</sup> The Muslim League organisation in 1949-51 was still sufficiently alive when the Awami League was formed and the organisational drive undertaken.

Towards the end, during 1957-58, there were frequent mentions by members of the assembly of the approaching elections in debates and discussions.<sup>2</sup> Apparently, they were getting prepared for the elections. There was also, during this period, a strange premonition of future events. Members spoke of the 'terrible nemesis that will overtake us if we don't change our ways', 'the assemblies will be dissolved and military and autocratic government established if we fail to give good government'.<sup>3</sup> There were references to 'symptoms' that 'parliamentary government would be done away with' and 'military rule established'.<sup>4</sup> It was observed by Sheikh Mujibur Rahman in March 1958,

So long as the election is not held, the future of East Pakistan is dark. Any moment whatever democracy there is in the country may be dispensed with and dictatorship established. <sup>5</sup>

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1. It has been suggested that the 'mobilization of popular sentiment behind the Congress Party in the 1920s' had 'its impact on the League' which was 'compelled to develop a mass organization to rival the Congress and to support the goal adopted in 1940'. 'The mobilization of mass opinion by one organization thus generated a countervailing mobilization by a competing organization'. See, Samuel P. Huntington, Political Order in Changing Societies (New Haven and London: Yale University Press, 1969), p. 442.
  2. For example see, EPAP, vol. XVII, no.1, p. 123; vol. XVII, no.2, p. 33; vol. XVIII, no.4, pp.47,149,155; vol. XX, pp.160,166,291.
  3. Ibid., vol. XVI, no.6, p.145; vol. XVII, no.1, p.130. The latter translated from original Bengali.
  4. Ibid., vol. XVII, no. 2, p. 173; vol. XVIII, no.2, pp.30-4.
  5. Ibid., vol. XVIII, no. 3, p. 38. Translated from original Bengali.

As a partial explanation of defections from Awami League ranks when the UF coalition led by the KSP was installed in power in June 1955, Abul Mansur Ahmad noted that 'party feeling' and 'party allegiance' had not yet taken solid root in 'our country, particularly among the Muslims'.<sup>1</sup> Faced with a certain vote of no-confidence on the floor in June 1958, in the background of fluctuating and uncertain political alliances, Abu Hossain Sarkar, the chief minister, was critical of the tendency to form 'mushroom parties' with the sole objective of fighting for power, and observed, 'East Bengal is predominantly populated by Muslims, it will take time for proper and fair politics to grow here'.<sup>2</sup> The political instability and lack of party discipline which marked Pakistan politics were also noted to have been experienced in legislative politics in the Muslim majority provinces of India prior to 1947. There was the suggestion that Muslim politicians were thus 'habituated to a mode of conduct that was ultimately ruinous to Pakistan's democracy'.<sup>3</sup> That the 'minority' parties in the East Bengal assembly also exhibited similar tendencies of fragmentation and changing party loyalties during 1956-58, would suggest that such features were rather products of political developments of the time and in large measure resulted from weak party organisations. Whether lack of party discipline, fragmentation and splintering of parties and political processes constituted typical elements of Muslim political culture, is for the future analysts to tell. The verdict at the moment must be that the charge is 'not proven'.

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1. Op.cit., p. 284.

2. EPAP, vol. XX, p. 342. Translated from original Bengali.

3. K.J.Newman, 'Pakistan's Preventive Autocracy and Its Causes', Pacific Affairs, vol. XXXII, no. 1 (1959), pp. 19-20.

## APPENDIX I

The evolution of legislature in Bengal, 1861-1947: a brief survey

1. The Bengal Legislative Council under the Indian Councils Act, 1861: The Indian Councils Act of 1861 authorised the Governor-General of India in Council to establish a legislative council in Bengal,<sup>1</sup> and to specify the number of councillors, not less than one-third of whom were to be non-officials, whom the Lieutenant-Governor of Bengal was to nominate to the council, subject to his sanction.<sup>2</sup> Accordingly, the Bengal legislative council came into existence on January 18, 1862.<sup>3</sup> It consisted of twelve councillors and had its first meeting on February 1, 1862.<sup>4</sup>

The legislative councils under the Act of 1861 were

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1. Under the Charter Act of 1833 the Governor-General of India was also the Governor of Bengal and all legislative power was centralised in his council. In 1854 a Lieutenant-Governor was appointed for Bengal, but the legislative powers remained with the Supreme Council. For a brief outline of acts, from the Regulating Act of 1773 upto the Indian Councils Act of 1861, affecting the status and powers of the government of Bengal, see Courtenay P. Elbert, The Government of India (3rd. ed.; Oxford: Clarendon Press, 1951), pp. 41-98. Also, for changing boundaries of Bengal, see Marcus F. Franda, West Bengal and the Federalizing Process in India (Princeton, New Jersey: Princeton University Press, 1968), pp. 8-10.
  2. The Indian Councils Act, 1861, sections 44-45. The Act defined non-official members as persons who at the date of such nominations were not in the civil and military services of the Crown in India and provided that they vacated their seats upon acceptance of such office.
  3. Proclamation of the Governor-General of India, dated Jan. 17, 1862. See, F.G. Wigly ed., The Legislative Council of Bengal (Calcutta: Bengal Secretariat Press, 1900), pp. 61-2.
  4. There were four official and four non-official Europeans and four native members of whom two were officials. C.E. Buckland, Bengal under the Lieutenant-Governors from 1854-1898 (2 vols.; Calcutta: S.K. Lahiri & Co., 1901), vol. I, pp. 230-1.

not 'miniature parliaments'.<sup>1</sup> The function of the Lieutenant-Governor in council was to make laws for the 'peace and good government' of the territory. Members had the right to introduce bills after the leave of the council was obtained in motion.<sup>2</sup> But this sole law-making power was, for all practical purposes, limited to consideration of measures introduced in the council by the executive. The Lieutenant-Governor summoned the council for sessions when projects of law had been prepared.<sup>3</sup> As President of the council he regulated the order of business at meetings, maintained order, decided all points of order and adjourned meetings any time he thought fit without debate or vote.<sup>4</sup> Perhaps the status and function of the legislative council can be best illustrated in the words of an official member in 1863 when he objected to the incorporation of an existing rule which provided that the Lieutenant-Governor was

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1. Report of the Indian Statutory Commission, vol. I, (Cmd. 3568), p. 115. Also see the views of Charles Wood, then the Secretary of State for India, on the intended role and function of the councils in his speech on the Councils Bill in the House of Commons on June 6, 1861, in A.C. Banerjee, ed., Indian Constitutional Documents (2 vols.; Calcutta: A. Mukherjee & Co., 1946), vol. II, document 76.
  2. The legislative powers of the council itself was limited. It required the previous sanction of the Governor-General to make laws and regulations on certain subjects. Bills passed by the council required the assents of the Lieutenant-Governor and the Governor-General. The British Crown had the final power to disallow any law or regulation thus made. The Governor-General in Council had the power to 'control and supersede' laws made by the legislative council of Bengal. Councils Act, 1861, secs. 22, 38-43, 48.
  3. Buckland, op. cit., vol. I, p. 230.
  4. Rules for the conduct of business of the meetings of the council. See, Proceedings of the Council of the Lieutenant Governor of Bengal for the purpose of making Laws and Regulations (FOL-GBB), vol. I, pp. 2-10. (Abstract).

required to call at least one session in a year, in the proposed amended rules of the conduct of business of the council. He observed,

The council was intended to aid and assist the Lieutenant-Governor in the making of laws and not to direct and control him, and clearly the Lieutenant-Governor was more competent than any one else to say<sup>1</sup> when and how often he required the assistance.

The legislative councils were properly described as 'committees for the purpose of making laws'.<sup>2</sup>

But circumscribed as the councils were in the nature and scope of their functions, they nevertheless performed a useful role. Legislative proposals were often subjected to thorough criticisms, amendments were freely moved and a substantial amount of work was done in committees.<sup>3</sup> During the period from 1862 to 1893 a total of 182 acts/amendment acts were passed, many of them relating to police administration, public health, local transport and local self-governing bodies.<sup>4</sup> The presence of non-officials in the councils made 'popular opinion effective to some extent'. The influence of non-officials was 'from time to time effective, and, on occasions, even decisive'.<sup>5</sup>

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1. PCLGB, vol. I, Mar. 7, 1863.

2. Report on Indian Constitutional Reforms 1918 (Cd. 9101), chap. III, para 64.

3. For example, it was noted that there were 64 meetings of select committee for the Bengal Tenancy Act of 1885 which as finally passed was in 'many respects a compromise'. Buckland, op. cit., vol. I, pp. 807-11.

4. Special Consolidated Indices of the Proceedings of the Imperial Bengal and Eastern Bengal and Assam Legislative Councils, relating to Acts from 1862 to 1914 (Calcutta: Bengal Secretariat Press, 1914), pp. 147-57.

5. John Coatman, 'The Legislatures and the coming of Parliamentary Institutions', in John Cumming ed., Political India 1832-1932 (London: Oxford University Press, 1932), pp. 168-9.

Division lists show that members often maintained considerable independence of opinion. Official members were 'permitted considerable freedom of action to vote as they thought fit'.<sup>1</sup>

Was the non-official membership representative of the population of the province? A section of non-official members came from the resident European community which controlled the trade and commerce of the province. Sir Charles Wood alluded to the impossibility of securing real representation of the various classes of the 'native' population in the councils.<sup>2</sup> The non-officials, as the President of the council pointed out, were not the representative of the masses, they chiefly represented the upper strata of the society.<sup>3</sup>

2. Bengal Legislative Council under the Indian Councils Act, 1892: Under the Indian Councils Act of 1892 membership of the legislative council was increased to a maximum of 20.<sup>4</sup> It retained the official majority but introduced one important innovation in that the majority of non-official members were to be recommended by important public bodies,<sup>5</sup> -

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1. Surendra Nath Banerjee, A Nation in Making (Bombay: Oxford University Press, 1925), p. 114.

2. A.C. Banerjee, op. cit., document 76.

3. PCLGB, vol. IX, Mar. 25, 1870.

4. Proclamation of the Governor-General of India in Council, dated Mar. 16, 1893. See, Wigly ed., op. cit., p. 170.

5. Not more than ten seats were to be filled by nominated officials. Seven seats were to be nominated by the Lieutenant-Governor on the recommendation of various public bodies and associations under the rules, such as the local and municipal boards, mercantile and trading associations, the senate of the university of Calcutta and the landholders associations. The remaining three seats were left at the discretion of the Lieutenant-Governor to nominate non-officials so as to secure 'fair representation of different classes of the community'. Regulation as to the nomination of Members of the Bengal Legislative Council, see ibid., pp. 65-83.



'recommendation entitled to the greatest weight, and not likely to be disregarded except in cases of the clearest necessity'.<sup>1</sup> However rudimentary and indirect, the principle of election was conceded for the first time. What was represented, however, was not the individuals, but 'the most important sections of native society'. It was representation of 'types and classes rather than areas and numbers'.<sup>2</sup>

The President of the council observed,

...however much a Member of this Council may be a representative of any Corporation, or of any interest, or of any body or Association ..., he will, on his appointment as a Member of this Council, act according to his lights and according to his conscience .... he ought not to called upon to record his vote in accordance with the views of constituents whom he represents, unless he heartily and personally agrees with them.<sup>3</sup>

One non-official member thought his proper role was that of 'interpretor between the Government and the people I represent'.<sup>4</sup> The recommending bodies were given the 'opportunity of making (their) views known in the council' through these non-official members.<sup>5</sup> Whatever their proper role - an agent, a representative or an interpretor, there was, as Buckland who served as an official member in the council pointed out, a not unnatural tendency to 'justify their election to their constituents by

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1. C.H. Philips ed., The Evolution of India and Pakistan, 1858- to 1947: Select Documents (London: Oxford University Press, 1962) Lord Lansdowne on the constitution of Legislative Councils, Mar. 16, 1893, p. 68.
  2. A.C. Banerjee, op. cit., document 87, Curzon on the Indian Councils Bill 1892 in the House of Commons on Mar. 28, 1892.
  3. Ibid., document 90.
  4. PCLGB, vol. XXXIV, Apr. 9, 1902.
  5. Statutory Commission, vol. I, p. 183.

speaking constantly and at great length'.<sup>1</sup> A new style of politics emerged. Pronouncements made in the chamber were meant for a larger audience outside.

Under the Councils Act of 1892, members discussed the Annual Financial Statement and enjoyed the right of interpellation, subject to certain rules.<sup>2</sup> The object of the presentation of Annual Financial Statement in the council was stated to be to create opportunity for full and free examination of the financial policy of the Government by the most 'competent representatives of un-official India' on the one hand, and on the other 'to give scope to the Government of explaining their financial policy, of removing misapprehension and of answering criticism and attack'.<sup>3</sup> Members could make observations on the budget only with reference to its provisions; but, generally they were given the latitude of making general observation on the entire administration of the government. This however depended largely on how the Lieutenant-Governor as President of the council interpreted the Rules.<sup>4</sup> While the presentation of the budget was recognised as

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1. Op. cit., vol. II, p. 945.

2. The Indian Councils Act, 1892, sec. 2. Also see, Rules for the discussion of Financial Statement and the asking of Questions in the Bengal Legislative Council, in Wigly ed., op. cit., pp. 107-9.

3. A.C. Banerjee, op. cit., document 87.

4. For example, under the Lieutenant-Governorship of Sir Charles Elliot (1890-95) when budgets began to be discussed in the council, questions pertaining to the budget were answered by the government before the actual discussion was taken up. His successor discontinued the practice maintaining that the rules for financial discussion did not provide for asking of questions and that under rules for interpellation no discussion could be held on answers thus supplied in the council. (PCLGB, vol. XXVI, Apr. 14, 1894; vol. XXVII, Mar. 30, 1895; vol. XXVIII, Apr. 4 and 11, 1896).

Under Sir Andrew Fraser (1903-8), members were at liberty

an improvement upon the previous system thus providing the 'only occasion when a bureaucratic Government condescends to lay its policy before people', it nevertheless failed to satisfy the non-official, particularly Indian, members with its limited scope and effectiveness of participation.<sup>1</sup>

Interpellation was intended to serve a two-fold purpose - to give members the opportunity to ask for information on matters of public interest and to provide the Government the opportunity of making its policies known to the public and answering criticism.<sup>2</sup> A total of 800 questions were asked during the course of 16 years from 1894 to 1909, a virtual monopoly of the non-official Indians who formed only a third of the membership of the councils. The President of the council had 'nothing much to complain of as regards the spirit with which interpellations' were put, but regretted the widespread public assumption that 'interpellations must necessarily be hostile' and that members asked questions with the intention to 'heckle the Government or to expose its short-comings'.<sup>3</sup>

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to discuss general policy and administrative measures and review the administration of the whole year. His successor desired that budget speeches should be brief and relevant to the budget. (Ibid., vol. XLI, Mar. 26, 1909; The Administration of Bengal under Sir Andrew Fraser (Calcutta: Bengal Secretariat Book Depot, 1908), pp. 42-3).

1. PCLGB, vol. XXXVII, Mar. 31, 1905; vol. XXXVIII, Apr. 7, 1906; vol. XXXIX, Apr. 6, 1907, vol. XL, Apr. 4, 1908.

2. A.C. Banerjee, op. cit.

3. PCLGB, vol. XXVII, Mar. 30, 1895. It was stated that 'the extensive and searching use' of the right of interpellation by members considerably increased the burden of work of the Lieutenant-Governor. See, Letter from Government of India to the Secretary of State for India, Feb. 2, 1905, in East India (Reconstitution of the Provinces of Bengal and Assam). Further Papers. (Cd. 2746).

In the councils the government came in contact with the elite of the Bengal society - the landed and titled nobility and gentry and the professional classes, with the legal profession predominating.<sup>1</sup> The 'bhadralok' of Bengal mostly occupied these seats and showed a distinctive flair for utilisation of the institution and a remarkable appreciation of its potentialities.<sup>2</sup>

Twentieth Century  
Press, 1968) p.

3. The Province of Eastern Bengal and Assam, 1905-1912: At the turn of the century the province of Bengal comprised of a population of 78,493,000 in an area of 189,000 square miles. The administration of the province was considered to be too heavy for one man.<sup>3</sup> As a result, there had been 'deterioration of the standards of Government, notable in portions of Eastern Bengal'.<sup>4</sup> Suggestions to reduce the size of the government of Bengal had been made from time to time since

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1. Amongst the 55 Hindu and Muslim members who served in the councils during the period, there were at least 23 who held the titles of Maharaja, Raja, Raja Bahadur, Nawab, Shahibzada (equivalent to the title of prince), Rai Bahadur, Khan Bahadur. (Information gathered from lists of members as recorded at the beginning of meetings in PCLGB). The municipal and district boards generally elected men from the pleader class. (Buckland, op. cit., vol. II, p. 944).

2. The word 'bhadralok' properly connotes a cultural syndrome and signifies a status group. Landowners and professional men could be said to have belonged to the 'Bhadralok' group. See, J.H. Broomfield, Elite Conflict in a Plural Society: Twentieth Century Bengal (Berkeley: University of California Press, 1968) pp. 5-20.

3. Letter of Secretary to the Govt. of India to Chief Secretary to the Govt. of Bengal dated Dec. 3, 1903. East India (Reconstitution of the Provinces of Bengal and Assam). Papers relating to the Reconstitution of the Provinces of Bengal and Assam. (Cd. 2658).

4. Resolution of the Govt. of India in the Home Dept., dated July 19, 1905. Ibid.

1868. Under Lord Curzon the Government of India again turned its attention to the problem. The final scheme as it emerged through the various proposals and suggestions proposed to partition the province of Bengal and join with the Chief Commissioner's province of Assam to create a new Lieutenant-Governor's province of Eastern Bengal and Assam with a legislative council and Dacca as its capital.<sup>1</sup> The new province would have a Muslim majority, while Bengal with other minor territorial adjustments would retain an overwhelming Hindu population. Administrative advantages were considered to be manifold, - such as good government, raising of the standard of administration and revival of the former prosperity of East Bengal, prospects of progress for Assam etc.; also, as it became clear as the Plan took shape, the political advantage of undermining the influence of the Bengali Hindus and the Congress.<sup>2</sup>

The Plan evoked criticism particularly from the Bengali Hindu.<sup>3</sup> The legal profession of Calcutta, dominated by them, was vehemently against the partition of Bengal.<sup>4</sup> The implementation of the Plan in 1905 set apace agitational politics in

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1. For a boundary map of the province of Eastern Bengal and Assam as constituted in 1905, see Nafis Ahmad, An Economic Geography of East Pakistan (London: Oxford University Press, 1958), p. 5.
  2. Op. cit. Also see Z.H. Zaidi, 'The Political Motive in the Partition of Bengal, 1905', Journal of the Pakistan Historical Society, vol. XII, part II, April 1964, pp. 113-49.
  3. Adoption of religious symbols gave the anti-partition agitation a distinctly 'Hindu' character. See, S.N. Banerjee, op. cit., pp. 173-270.; Broomfield, op. cit., pp. 29-30.
  4. Letter of Chief Secretary to the Govt. of Bengal to Secretary, Govt. of India, Home Dept., Apr. 6, 1904. East India. Further Papers. (Cd. 2746).

Bengal<sup>1</sup> and added to it a further dimension which was revolutionary and terrorist in nature.<sup>2</sup> The 'violent hostility' of the Bengali Hindus finally convinced the Government of India of the desirability of annulling the partition, 'although much good work has been done in the Eastern Bengal and Assam and the Mohammadans of the province reaped the benefits of a sympathetic administration'.<sup>3</sup> The decision to annul the partition and form a Governor's Province of Bengal was announced by the King-Emperor in the Delhi Durbar on December 12, 1911.<sup>4</sup> The extremist political tendencies outlived the period of partition-agitation.

The Lieutenant-Governor's legislative council of Eastern Bengal and Assam met for the first time on December 18, 1906. It met under the shadow of anti-partition agitation and a sense of uncertainty pervaded the atmosphere. The Muslim members wished that the partition should be treated by all as a 'settled fact'. Indeed the whole range and style of politics

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1. Letter from Govt. of India to the Secretary of State for India, dated Feb. 2, 1905, referred to the 'aptitude of the educated classes in Bengal for public agitation'. Ibid.
  2. For an account of the terrorist and revolutionary activities of this and later periods, see Troilakya Nath Chakravarty, Thirty Years in Prison and the Independence Struggle of Pakistan India (Jele Tirish Basar o Pak Bharater Swadhinata Sangram) (Dacca: Modern Printing Works Limited, 1968); Purnendu Dastidar, Chittagong in the Independence Struggle (Swadhinata Sangrame Chattagram) (Chittagong: Art Press, 1967)). Both authors were members of East Pakistan Assembly, 1954-58.
  3. Correspondence preceding the Coronation Durbar, no. 4, Govt. of India, Home Dept. to the Secretary of State for India, Aug. 25, 1911, in Ilbert, op. cit., appendix III.
  4. Announcements made at the Coronation Durbar. Ilbert, op. cit., appendix IV.



in the new council, as far as the 'native' members were concerned, centered round the issue of partition. On this the Hindu and Muslim members were arrayed, as it were, in two opposing camps. The Hindu members claimed that there was a very substantial opposition to partition. They maintained that the economic ill-effects of partition had been severe for East Bengal, -- for she, a prosperous province, had been allied to a partner which was an economic liability. The whole gamut of Muslim argument ran thus: many Hindus in fact appreciated the advantages of partition, East Bengal accumulated years of neglect from pre-partition days, it was only now that East Bengal received direct and adequate attention from the administration, as for Assam there was a gold mine in her 'unexplored and unexploited mineral resources'. The government was faced with these claims and counter-claims. It also faced problems of law and order arising out of anti-partition activities. There were also the difficulties of normal financial hardships of a newly organised province.<sup>1</sup> During its uncertain and short life, the council met for only 21 days.<sup>2</sup> It passed a total of 10 Acts<sup>3</sup> and dealt with 189 questions. The council met for the last time on March 18, 1912.

4. Bengal Legislative Council under the Indian Councils Act, 1909: (a) Separate electorate and Bengal. Aware that the British Government was contemplating further constitutional

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1. The above is based on Proceedings of the Lieutenant-Governor's Legislative Council of Eastern Bengal and Assam, 1906-12.

2. The meetings were held in the council chamber in Government House. The Council had a maximum of 15 members; under the Act of 1909, the membership was enlarged to a maximum of 40.

3. Special Consolidated Indices, pp. 207-10.

reforms in the near future, the leadership of the Indian Muslims, no longer travelling in the 'apolitical path mapped out by Syed Ahmed' and politically involved to a higher degree than ever before, decided on a political action which was to exert tremendous influence on future political events.<sup>1</sup> A Muslim deputation met the Viceroy in October 1906. They drew his attention to the fact that under the existing system very few Muslims were elected to the councils and as such their interests even in the Muslim majority areas had suffered. Their demand was that Muslims should be guaranteed representation in all levels of government commensurate with their numerical strength, political importance and their contribution to the defence of the Empire. The Viceroy, in reply, assured them of his appreciation of their claims.<sup>2</sup> The undertaking thus given and subsequently reaffirmed by the British Government were embodied in the Act of 1909.<sup>3</sup> Muslims were given the right to vote in separate constituencies to elect their own candidates as well as the right to vote in other constituencies. The Indian National Congress was critical of the scheme, and its President characterised the scheme as 'protecting the interests of the minority with a vengeance'.<sup>4</sup>

There was special significance of the system for the province of Bengal. Due to their economic and educational backwardness in relation to the Hindu community, the Muslims of

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1. K.K. Aziz, The Making of Pakistan: A Study in Nationalism (London: Chatto & Windus, 1967), pp. 27-8.

2. Ram Gopal, Indian Muslims: A Political History (1858-1947) (Bombay: Asia Publishing House, 1959), Appendix B Address presented to Lord Minto and appendix C Lord Minto's Reply.

3. Theodore Morrison, 'Mohammadan Movements' in Cumming ed., op. cit., pp. 91-2.

4. See A.C. Banerjee, op. cit., document 109(1).

Bengal who constituted a majority in the province (except for the period of partition) had very few representatives in bodies that were required to nominate members to the Imperial and Provincial councils.<sup>1</sup> Consequently they were greatly under-represented in the councils. For example, of the total of 55 Indian members who served in the Bengal legislative council under the Act of 1892 only 11 were Muslims.<sup>2</sup> The system of separate electorate gave them a minimum guaranteed number of seats. In the first council which assembled in January 1910, there were 8 muslims, 4 of whom were in reserved seats, out of 27 Indian members.<sup>3</sup> In the council of 1913 there were again 8 Muslim members; 5 of them from separate constituencies, 1 elected by a local body and 2 were government nominees.<sup>4</sup>

(b) Working of the legislative council under the Act of 1909. The powers granted to the legislative councils under the Act of 1909 were in fact extensions of those enjoyed under the previous Act. As the Montagu-Chelmsford Report pointed out, the changes were ones of degree rather than of kind.<sup>5</sup> What Minto, the Viceroy, stood for in India was a 'constitutional autocracy', - a blending of the principles of 'British constitu-

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1. Ram Gopal, op. cit., p. 109.

2. This included nominated members as well. List of members as recorded in PCLGB.

3. List of members as recorded in Proceedings of the Bengal Legislative Council (BLCP) vol. XLII, Jan. 4, Feb. 26, 1910.

4. J.H. Broomfield, 'The Vote and the Transfer of Power: A study of Bengal General Election 1912-13', The Journal of Asian Studies, vol. XXI, no. 2, (1962), pp. 163-82.

5. Report on Indian Constitutional Reforms, 1918 (Cd. 9109), chap. I, para. 7.

'nationalism' with 'Asiatic despotism'.<sup>1</sup> Morley, the Secretary of State for India, made it clear that the reforms were not intended to lead to the establishment of parliamentary system in India.<sup>2</sup> Conservative Minto and Liberal Morley were agreed on the basis of the Reforms - representative government and English political institutions were unsuitable for Indian conditions. But inspite of their disclaimers, Indian politicians interpreted the Reforms as 'advance towards parliamentary government'.<sup>3</sup> Such heightened expectations inevitably led to some intense frustrations as it became apparent that the council could not influence the policies and functioning of the government.

The Rules relating to the presentation of the Financial Statement and the passing of the budget increased the scope of members' participation in the discussion. They could further move resolutions on the Financial Statement, which had the effect of recommendations to the Governor.<sup>4</sup> The scope of the Finance Committee, however, was extremely narrow, the amount involved

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1. Mary, Countess of Minto, India Minto and Morley, 1905-10 (London: MacMillan & Co. Limited, 1934), pp. 110-1, 372-3; S.R. Wasti, Lord Minto and the Indian Nationalist Movement, 1905-10 (Oxford: Clarendon Press, 1964), pp. 12, 127-65.
  2. A.C. Banerjee, op. cit., document/ 104, Lord Morley in the House of Lords on Dec. 17, 1908; also see Wasti, op. cit., pp. 191, 196, Mary, Countess of Minto, op. cit., p. 30.
  3. Wasti, op. cit., pp. 192, 220. 'In a sense', it has been observed, 'Morley and Minto refused to face the basic question posed by Indian nationalism: what is the goal of British rule in India?'. See S.R. Mehrotra, 'The Politics Behind the Montagu Declaration of 1917' in C.H. Philips ed., Politics and Society in India (London: George Allen & Unwin Ltd., 1963), p. 73.
  4. F.G. Wigly ed., Bengal Legislative Council Manual, 1910 (Calcutta: Bengal Secretariat Book Depot, 1910), Rules for Discussion of the Annual Financial Statement, pp. 179-89.

being only about one per cent of the total provincial expenditure.<sup>1</sup> Non-official members often felt that it was 'hardly necessary that the Finance Committee should exist at all'.<sup>2</sup> Members now had the right to move resolutions on matters of public importance. The resolutions, however, had no binding force on the government. The non-officials scored their first victory on September 1, 1913. But such victories, rare as they were, did not carry any sanction with them. As the President of the council pointed out,

When the non-official members beat the Government, nothing particular need necessarily happen. Government can go on just the same as if it had not been beaten; Government will always ... examine carefully any question on which it has been beaten, and if it honourably can, will meet the views of the non-official majority.<sup>3</sup>

Nevertheless, the real influence of resolutions could be seen as expressing important shades of public opinions and also as helping to create public opinions on various matters. More than 3000 questions were answered during the course of eleven years, under the Act,<sup>4</sup> nearly two-thirds of these questions in the last four years.<sup>5</sup> This would tend to indicate that there was increased appreciation on the part of members of the publicity opportunity offered by this device and also that the government was faced with determined and hostile critics. In fact, the years between

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1. L. Curtis, Papers Relating to the Application of the Principle of Dyarchy (Oxford: Clarendon Press, 1920), p. 7.

2. For example, see BLCP, vol. XLIII, Apr. 5, 1911. (Abstract).

3. Ibid., vol. XLV, Dec. 1, 1913.

4. Rules framed under the Act provided for the asking of supplementary questions. See, Wigly ed., Council Manual, 1910, pp. 197-9.

5. Ibid., vols. XLII, 1910 - LII, 1920.

1910 and 1920 were marked by growing discord between the government and the non-official members and the government faced persistent criticism in the council. The politics of oppositionism was thus bred in the tradition of nationalism of the day.<sup>1</sup>

Under the Act of 1909, the Bengal Council was given slight non-official elected majority.<sup>2</sup> But the government almost always mustered sufficient strength to outvote the opposition which mainly consisted of non-official Indians. In the first place, non-official majority was more nominal than real since the government was practically assured of the constant support of the elected representatives of the British resident community who generally did not share the main political aspirations of their Bengali fellow members.<sup>3</sup> The council was thus divided into two permanent blocs - the officials who found some support among the non-officials particularly Europeans, and the non-officials, mostly Indians, who chiefly came however from the two distinct major communities and were often in disagreement with each other. Moreover there were other divisions of interest among the non-officials which prevented them from acting as a group on all issues.<sup>4</sup> Yet another reason for the reduced voting

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1. Broomfield, Elite Conflict, pp. 52-86.

2. It consisted of 5 ex-officio members including the Governor, 20 nominated and 28 elected members. In addition, 2 experts, official or non-official, could be nominated to advise on impending legislation.

3. R. Coupland, The Constitutional Problem in India (London: Oxford University Press, 1944), The Indian Problem, p. 25; Curtis, op. cit., p. 13; Broomfield, Elite Conflict, pp. 43-4, 62-3.

4. For example, see BLCP, vol. XLIII, Aug. 22, 1911; vol. LI, Apr. 9, 1919.



strength of the opposition in the council was that not all their members regularly attended the meetings, - perhaps 'because of the futility of their presence'.<sup>1</sup> This fragmented and weakened voting power derived from the absence of effective party organisations in the council and the consequent lack of organised policies and actions. It was rightly observed, in a study of the 1912-13 election to the Bengal legislative council, 'Indian politics at the second decade of this century were not party politics'.<sup>2</sup>

5: Bengal Legislative Council under the Govt. of India Act, 1919: As early as 1915 Bengal Moderates pressed for further constitutional reforms and urged the British Government to declare self-government in India as its ultimate objective.<sup>3</sup> The need for a clear definition of the goal of British policy in India was appreciated by the administrators of India as well as by the radical and conservative opinion in Britain.<sup>4</sup> The Congress-League concordat of 1916 prompted the British Government to examine the issue of further constitutional development in India. The correspondence which followed between the British Government and the Government of India laid the basis of the famous declaration of Montagu, the Secretary of State.<sup>5</sup> The declaration laid down that the goal of British policy was

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1. Ibid., vol. XLIII, Aug. 22, 1911.

2. Broomfield, 'Vote and the Transfer of Power; a study of Bengal General Election 1912-13', Asian Studies, p. 116.

3. Broomfield, Elite Conflict, pp. 186-7.

4. Mehrotra, 'The Politics Behind the Montagu Declaration of 1917', Philips ed., Politics and Society, pp. 74-86.

5. Venetia Montagu ed., An Indian Diary (London: William Heinemann Ltd., 1930), p. 91; Curtis, op. cit., pp. 359-63, 477-8; Coupland, op. cit., The Indian Problem, pp. 57-8; Report on Indian Constitutional Reforms, 1918, chap. VII.

'progressive realisation of responsible government in India as an integral part of the British Empire'.<sup>1</sup> The underlying belief was that India was to be trained in the art of self-government. As Montagu recorded during his tour of India in the winter of 1917,

There is great agitation already about a scheme which asks the Indians to be treated as school boys, getting a little more each time their school-masters say that they may have it. Of course, it is not my meaning. I do not doubt their ability to work representative institutions .... but until they have learned the customs, conventions, traditions and uses which are inseparable from representative institutions ... the transfer of power of law and order to them will lead to anarchy, revolution, bloodshed and starvation .... It is this use of power which must be taught, which they must learn by experience, and which we can not risk.<sup>2</sup>

The province was chosen as the first training ground for responsible government. The dyarchical system as introduced under the Act retained the administration of 'reserved' subjects under the Governor and his Council without any responsibility to the legislature as under the previous system, while transferring some subjects to the control of the legislature in respect of which the Governor was guided by the advice of his ministers who were elected members of the legislature and as such, responsible

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1. The declaration was made in reply to a question in the House of Commons by the Secretary of State for India on Aug. 20, 1917. The policy was properly speaking two-fold: 'increasing associations of Indians in every branch of administration and the gradual development of self-governing institutions with a view to progressive realisation of responsible government in India as an integral part of the British Empire'. It was emphasised that the goal was to be achieved by 'successive stages' and that the British Government and the Government of India must be 'judges of the time and measure of each advance'. Hansard, vol. XCVII, 1917, cols. 1695-6.

2. Montagu ed., op. cit., pp. 133-4.

to it.<sup>1</sup> Lord Ronaldshay, Governor of Bengal from 1917 to 1922, however observed that the system provided the 'classic example of the difficulty of serving two masters'.<sup>2</sup>

The Act of 1919 increased the membership of the legislative council to 140 which were distributed as follows: Mohammadan - 46, non-Mohammadan - 39, landholders - 5, university - 2, European general - 5, European commerce - 11, Anglo-Indian - 2, Indian commerce - 4.<sup>3</sup> The Montagu-Chelmsford Report had reluctantly recommended the retention of separate communal electorate for Muslims.<sup>4</sup> The Franchise Committee accepted the Lucknow Pact (the Congress-League Pact of 1916) as the basis for distribution of seats between Mohammadans and non-Mohammadans. The Pact had laid down that Muslim representation in the Bengal legislative council should comprise of 40 per cent of the elected element. Although this was a significant improvement upon that under the Morley-Minto Reforms (5 out of 28 elected seats, i.e. 18 per cent), it actually was below the population ratio of the province, - only 76 per cent of the seats to which they were entitled with a population of 52.6 per cent in the

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1. For lists of central and provincial subjects and the transferred subjects within the provincial field, see Debendra Nath Banerjee, The Indian Constitution and its Actual Working (Bombay: Longmans, Green & Co., 1926), appendix B, the Devolution Rules. Also, under the Act, the President, responsible for the conduct of business of the legislature, and the deputy President were elected by members of the legislative council.
  2. Marquess of Zetland, Essayez (London: John Murray, 1956), p. 140.
  3. Statutory Commission, vol. VIII, p. 136.
  4. Report on Indian Constitutional Reforms, chap. VIII, para. 227-31.

province.<sup>1</sup> Under the Act the Muslims in fact received about 46 per cent of the general elected representation. But the landholders, university and Indian commerce constituencies mostly returned Hindu members, as the Bengali Muslims were in general educationally and economically backward. The disproportionate election of non-Muslims through these special constituencies coupled with the nominated element practically reduced the Muslim representation to a bare 30 per cent of the total membership of the council.<sup>2</sup>

The characteristic feature of this period again was the lack of growth of proper political parties. Success in elections depended upon the candidates' resources and personality, community and local influence.<sup>3</sup> Any attempt at describing the political groupings in the councils must be done in communal terms.<sup>4</sup> Muslim members, divided amongst themselves into small groups - mostly in the nature of personal followings and fluid in membership, generally closed ranks when communal issues were

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1. East India (Constitutional Reforms: Lord Southborough Committee), vol. I (Cmd. 141), para 15 and vol. III (Cmd. 176), para 21, 23-4. For details of the Lucknow Pact see, M.H. Saiyid, Mohammad Ali Jinnah: A Political Study (2nd. ed.; Lahore: Sh. Muhammad Ashraf, 1953), appendix II. Bengali Muslim politicians of the time denounced the Pact as 'betrayal of the community's interests' and there were defections from the Bengal Muslim League. (Broomfield, Elite Conflict, pp. 114-7).
  2. Ram Gopal, op. cit., pp. 139, 171-2; Statutory Commission vol. VIII, pp. 138-9.
  3. Statutory Commission, vol. I, p. 199.
  4. Commenting on communal strife during this period, Coupland maintained that the new system failed to 'assuage the bitterness of Hindu-Muslim strife by holding out the prospect of India's national freedom. That very prospect had in fact intensified it. It had provoked a preliminary struggle for place and power'. Op. cit., The Indian Problem, p. 76. Also see K.K. Aziz, op. cit., pp. 203-9.

at stake.<sup>1</sup> The Swaraj Party which successfully contested the elections of 1924 and 1926 was the only party with the appearance and paraphernalia of a modern political party. But it failed to maintain the non-communal composition of its membership.<sup>2</sup>

Furthermore, its obstructionist policy distorted its role as a parliamentary party.<sup>3</sup> The Liberal Party which supported the Hindu ministers in the first council was virtually annihilated in the following election. Other groups appeared in the councils from time to time and were known as the Nationalists, the Responsivists and so on. But they were small groups, drawing their membership mostly from the Hindu community. The European members formed a compact group and were decidedly against any alliance with others. They were often referred to as part of the official block because of the support they frequently lent the government.<sup>4</sup> The existence of fluid groups complicated the task of ministry-making and hindered the growth of joint responsibility.<sup>5</sup>

The Reforms Enquiry Committee observed,

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1. Statutory Commission, vol. VIII, pp. 108-10.
  2. Broomfield, Elite Conflict, pp. 253-5, 268-9, 284-8. Also see, Abul Mansur Ahmad, Fifty Years of Politics as I saw It (Dacca: Naoroze Kitabistan, 1968), pp. 41-2.
  3. C.R. Das refused to accept the invitation of the Governor in 1924 to accept ministerial office. The Swarajists were pledged to 'put an end to the system of dyarchy' and, as Das informed the Governor, 'this duty they can not discharge if they take office'. The Earl of Lytton, Pundits and Elephants (London: Peter Davies, 1942), pp. 41-5.
  4. Reforms Enquiry Committee, 1924. Views of Local Governments on the working of the Reforms. (Cmd. 2362), p. 152; Statutory Commission, vol. I, pp. 201, 207; Herbert Carr, 'The British Commercial Community', Cumming ed., op. cit., pp. 143-6.
  5. Statutory Commission, vol. VIII, pp. 116-7.

The obstacle which is the root of all the difficulty in working the transitional constitution is the Indian conception of Government as something in which the people have no share, and which it is therefore the duty of every progressive politician to criticise and oppose.<sup>1</sup>

The extremist political schools in Bengal, the Congress policy of non-cooperation and the Swarajist policy of obstructionism resulted in lack of identification with the system.<sup>2</sup>

6. The Bengal Legislature under the Govt. of India Act, 1935: Under the Act Bengal received a bicameral legislature. The upper House, the Legislative Council consisted of not less than 63 and not more than 65, while the lower House, the legislative Assembly had 250 members. The seats in the Council were distributed as follows: general - 10, Muslim - 17, European - 3, elected by the Assembly - 27, nominated by the Governor - not less than 6 and not more than 8 members.<sup>3</sup> The Assembly seats consisted of the following: Muslim - 119 (of these 2 reserved for women), general - 80 (2 reserved for women, 30 reserved for the Scheduled Castes), Indian Christian - 2, Anglo-Indian - 4 (1 woman), European - 11, special constituencies of commerce, industries, plantation and mining - 19, special constituencies of landholders - 5, universities - 2, labour - 8. This distribution was determined by the Communal

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1. P. 138.

2. Lord Lytton, who served as Governor of Bengal during the period, remarked on the tendency of irresponsible oppositionism which, he thought, characterised Bengal politics of the day. Op. cit., pp. 9, 31, 180.

3. Govt. of India Act, 1935. Report of the committee appointed in connection with Delimitation of Constituencies and other connected matters. Vol. I, The Report, 1936, p. 224.



Award of 1932 as altered by the Poona Pact.<sup>1</sup> The Award extended separate communal representation to the Sikhs, Europeans, Indian Christians and Anglo-Indians.<sup>2</sup> All eligible electors who were not voters in Muslim or any of these constituencies, were to vote in general constituencies.<sup>3</sup> The Award guaranteed the Scheduled Castes the right to elect their representatives through special constituencies while retaining their right to vote in general constituencies, for a period of twenty years unless earlier changed according to the provisions of the Award.

Gandhi opposed the provision of special constituencies for the Scheduled Castes as he saw in it a danger to the Hindu society. He was principally responsible for the Poona Pact, which instead provided for reserved seats for the Scheduled Castes within the general constituencies. Under the Pact the Scheduled Castes of Bengal received 30 reserved seats in the Assembly out of the 80 general constituencies in place of the special constituencies (not less than 10) in general seats as indicated in the Award. But the Scheduled Castes lost their double vote; the method of election for reserved seats also tended to ensure the influence

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1. Proposals for Indian Constitutional Reform, 1933. (Cmd. 4268). Pp. 24-26, 98.
  2. As the communities in India failed to reach a settlement on the communal question acceptable to all parties for the impending measure of constitutional reforms, the British Government according to its decision announced at the end of the second Round Table Conference, published in August 1932 its own arrangement for Indian representation in the provincial legislatures (lower House only in case of bicameral legislatures). For details, see East India (Constitutional Reforms) Communal Decision, 1932. (Cmd. 4147).
  3. Muslims were given weightage in Hindu majority areas and the Hindus in Sind and NWFP. In Bengal and the Punjab, both Hindus and Muslims received less seats than the proportion of their population demanded, and in both cases the Muslim majority in the provinces was a minority in the legislatures. See, Ram Gopal, op. cit., p. 237.

of pro-Caste Hindu members.<sup>1</sup>

Under the Act of 1935 a substantial degree of provincial autonomy was granted and the cabinet was made responsible to the legislature. The Governor however was entrusted with certain special responsibilities.<sup>2</sup> Provincial election for the new legislatures took place in 1937. The Indian National Congress was the most organised and disciplined party. 'In Bengal it did better than expected, winning 60 out of 250'.<sup>3</sup> Jinnah's attempts on the eve of the election to unite the Muslim politicians of Bengal under the banner of the Muslim League, a party which was itself utterly disorganised and virtually non-existent at the time, had not been altogether successful.<sup>4</sup> The result of this disunity and the lack of stable established party machinery was that the election returned 40 Muslim League, 35 Krishak Praja Party and 41 independent Muslim members.<sup>5</sup>

A.K. Fazlul Huq, leader of the KPP, formed the first coalition government of the KPP, Muslim League, Scheduled Caste Party and non-Congress Caste Hindus. Shortly afterwards, he joined the Muslim League with a majority of his supporters and

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1. For Gandhi's role, see Louis Fischer, The Life of Mahatma Gandhi (London: Jonathan Cape, 1951), pp. 330-45; for the text of the Poona Pact, B.R. Ambedkar, Pakistan or the Partition of India (3rd ed.; Bombay: Thacker and Co. Ltd., 1946), appendix XX; and for some criticisms, B.R. Ambedkar, What Congress and Gandhi Have Done to the Untouchables (Bombay: Thacker & Co. Ltd., 1945), pp. 77-90.
  2. The Govt. of India Bill. Instruments of Instruction to the Governor-General and Governors, 1935. (Cmd. 4805).
  3. Coupland, op. cit., Indian Politics 1936-42, p. 16.
  4. See, M.A.H. Ispahani, Qaid-e-Azam Jinnah as I Knew Him (Karachi: Forward Publications Trust, 1966), particularly pp. 22-33.
  5. Coupland, op. cit., Indian Politics, p. 27.

partymen. But his government remained rather weak and unstable because of the shifting allegiance of the coalescing members. Huq's relationship with the central League body was considerably strained over his joining the National Defence Council and his association with the League during this period proved to be shortlived. When in August 1941 the muslim League working committee instructed him to resign from the League council, Huq complied with the directive but also resigned from the party as a protest. He formed a coalition cabinet with the support of his followers and members from the Forward Block and the Hindu Mahasabha. In April 1943 Huq resigned and Khwaja Nazimuddin formed the first Muslim League ministry in Bengal. It was defeated on the floor in March 1945. The province was then placed under Governor's rule until the election of 1946.<sup>1</sup>

During this period the Bengal Congress was an extremely disorganised body 'split into warring sections which even Mr. Gandhi's personal influence could not unite'.<sup>2</sup> The Bengal Muslim League though better organised than before also held factions within itself.<sup>3</sup> A particular feature of this first full-fledged trial of party government was the tendency of wavering party

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1. Ibid., pp. 27-31; Ispahani, op. cit., pp. 33-53; Ram Gopal, op. cit., pp. 273-9.

2. Coupland, op. cit., Indian Politics, p. 28.

3. Kamruddin Ahmad, The Social History of East Pakistan (2nd ed. Dacca; Pioneer Press, Dec. 1969), pp. 58-95. The fact that between Jan. 1, 1938 and Sep. 12, 1942 the Muslim League scored a series of by-elections in Muslim constituencies for the central and provincial legislatures, winning 5 out of 6 in the Upper House and all seven seats in the lower House in Bengal, is an indication of the organizational drive of the League during this period. For the by-election results, see Coupland, op. cit., Indian Politics, appendix VI.

loyalties, shifting party alliances and splits and mergers.<sup>1</sup>

In the Congress majority provinces, provincial autonomy and full parliamentary government was not given a fair trial as the Congress provincial ministries were made subservient to the Congress High Command. It was only in the non-Congress provinces, such as in Bengal, that 'responsible government in the accepted British sense of the term' was practised, at least upto the time when the All-India Muslim League became powerful enough to influence and instruct the provincial League machineries.<sup>2</sup>

7. Division of Bengal Assembly at the time of independence, 1947: Two issues assumed fundamental importance by the time the election took place in 1946, viz. independence and the partition of the subcontinent to form the state of Pakistan. The election results practically established the League and the Congress as representing the Muslims and the Hindus respectively. The Muslim League received 116 seats in the Bengal Assembly. On April 2, 1946 the Governor commissioned H.S. Suhrawardy, leader of the ML parliamentary party in Bengal, to form the cabinet. There were some tentative talks with the Congress for a coalition which apparently broke down over the quota of representation in the cabinet. Suhrawardy formed a Muslim League cabinet with the support of some independents and Scheduled Castes at the end of April.<sup>3</sup>

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1. This was particularly noticeable in case of the League, the KPP, independents and the Scheduled Castes. The above is based on the reporting of legislative sessions, party strengths and ministerial compositions in the Bengal legislature, in the Indian Annual Register 3, 1937-44.

2. Coupland, op. cit., Indian Politics, p. 26; I.H. Qureshi, The Struggle for Pakistan (Karachi, University of Karachi, 1965), p. 97.

3. Statesman, Apr. 2-23, 1946.

Following the procedure laid down in the June 3 Plan (1947),<sup>1</sup> the Bengal Assembly (excluding the European members) met on June 20 and decided to join the new Constituent Assembly by a majority of 126 to 90 votes. It then met in two parts on the basis of religious majority districts as specified in the Plan and as one part, members from the non-Muslim majority areas (West Bengal), decided in favour of partition, the issue of partition of the province with independence became a settled fact.<sup>2</sup> A referendum was also accordingly held in the contiguous Muslim majority district of Sylhet of the Assam province, which decided to join the new province of East Bengal. Members of the Bengal and Assam Legislative Assemblies, whose constituencies fell within the territory of East Bengal, constituted the East Bengal Legislative Assembly in 1947.<sup>3</sup>

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1. Indian Policy Statement of 3rd. June, 1947. (Cmd. 7136).

2. The vote was by 58 to 21 in favour. The Plan provided for decision by a simple majority in favour of partition by one part of the Assembly. The Muslim majority part (East Bengal) voted 106 to 35 against partition. Qureshi, op. cit., p. 304; Statesman, June 20-1, July 5-7, 1947.

3. There were some changes in the composition of the two parts of the Assembly, as indicated in the June 3 Plan as a temporary measure, which met to decide the issue of partition in June and the composition of the West Bengal and East Bengal Legislative Assemblies after the Award of the Boundary Commission in August. For the Award of Boundary Commission in respect of Bengal and the district of Sylhet, see the Gazette of Pakistan Extraordinary, Aug. 17, 1947, pp. 7-11. There were also some consequential re-demarcation of some bordering constituencies by the Government of East Bengal for the East Bengal legislature. For example see, Azad, Mar. 21, 1948.

## APPENDIX II

Specimen copy of a Sessional Programme

## EAST BENGAL LEGISLATIVE ASSEMBLY.

Circular No. 4(141)-L.A., dated Dacca, the 14th February, 1953 to all Members of the East Bengal Legislative Assembly.

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Dear Sir/Madam,

I am desirous to inform you that the following business shall be taken up in the East Bengal Legislative Assembly on the dates and in the order specified below during the ensuing session :-

- 25th February, 1953 .. (1) Laying of Ordinances.  
 (2) Presentation of the Budget for 1953-54.  
 (3) Presentation of the supplementary demands for grants for 1952-53.
- 26th February, 1953 .. (1) Laying of amendments to the Motor Vehicle Rules.  
 (2) The East Bengal State Acquisition and Tenancy (Amendment) Bill, 1953 (Introduction).  
 (3) The Rajshahi University Bill, 1952 (consideration and passing).  
 (4) The East Bengal Premises Rent Control Bill 1950 as reported by the Select Committee (consideration and passing).  
 (5) The East Bengal Secondary Education Bill, 1951 as reported by the Select Committee (consideration and passing).

27th February, 1953 .. Business remaining from the 26th February, 1953.

28th February, 1953 .. (1) The East Bengal State Acquisition and Tenancy (Amendment) Bill, 1953. (consideration and passing).

(2) Business remaining from the 27th February, 1953.

2nd March, 1953 .. General discussion of Budget for 1953-54.

3rd March, 1953 .. General discussion of Budget for 1953-54.

4th March, 1953 .. General discussion of Budget for 1953-54.

5th March, 1953 .. Discussion and voting on supplementary demands for grants for 1952-53.

6th March, 1953 .. Placing of the authenticated schedule of supplementary expenditures before the Assembly.

7th March, 1953 .. Business remaining from the 28th February, 1953.

9th March, 1953 .. Voting of demands for grants.

10th March, 1953 .. Voting of demands for grants.

11th March, 1953 .. Voting of demands for grants.

12th March, 1953 .. Voting of demands for grants.

13th March, 1953 .. Voting of demands for grants.

14th March, 1953 .. Placing of the authenticated schedule of expenditure before the Assembly.

Yours truly,

S. A. E. Hussain,

SECRETARY  
East Bengal Legislative Assembly.



## APPENDIX III

The 21 Point Programme21- POINT PROGRAMME  
POLICY

There will be no enactment in the House which is repugnant to the fundamental principles of the Holy Quran and the Sunnah and provisions will be made for the citizens to live their lives on the basis of Islamic equality and Brotherhood.

## PROGRAMME

## I. CONSTITUTION AND FUNDAMENTAL RIGHTS:

1. In accordance with the Historic Lahore Resolution, to secure full autonomy and bring all subjects under the jurisdiction of Unit Governments leaving Defence, Foreign Affairs and Currency under the Central Government. In the matter of defence, arrangements shall be made to have the Headquarters of the Army in West Pakistan and the Naval Headquarters in East Pakistan and to establish Ordnance factories in East Pakistan with a view to making East Pakistan militarily self-sufficient. The present Ansar force will be converted into a full fledged militia and equipped with arms.
2. To make Bengali as one of the State Languages of Pakistan.
3. To repeal all Safety and Preventive Detention Acts and release all prisoners detained without trial and try in open court persons involved in anti-State activities; to safeguard the rights of the press and of holding meetings; to allow full

facility for forming trade unions to labour and of agitating for collective bargaining in accordance with the Conventions of the International Labour Organisation.

4. To separate the judiciary from the Executive.

## II. PLANNING & DEVELOPMENT

### A. LAND SYSTEM:

5. To abolish without compensation zemindari and all rent receiving interest in land and to distribute the surplus lands amongst the cultivators and to reduce rent to a fair level and abolish the certificate procedure of realising rent.

6. To introduce co-operative farming and to fully develop cottage industries such as Khaddar and others with full government subsidies.

7. To make the country self-sufficient by scientifically industrialising and modernising the system of agriculture.

8. To improve the irrigation system and save the country from flood and famine.

### B. INDUSTRY AND COMMERCE:

9. To nationalise the jute Trade and bring it under the direct control of the Government of East Pakistan and secure fair price of jute to the growers and to investigate into the jute-bungling during the Muslim League regime, to punish those found responsible for it and to forfeit all their properties earned thereby.

10. To start salt industry both cottage and large scale in order to make East Pakistan self-sufficient in the supply of

salt and to investigate into the salt-bungling during the Muslim League regime and to punish the offenders and forfeit their properties earned thereby.

#### C. REHABILITATION OF REFUGEES:

11. To immediately rehabilitate all refugees particularly those who are artisans and technicians.

#### D. EDUCATION:

12. To introduce free and compulsory primary education and to arrange for just pay and allowance to the teachers.

13. To re-orient the entire education system by abolishing the discrimination between government and private schools and to introduce the mother tongue as the medium of instruction.

14. To repeal all reactionery and black laws relating to the Dacca and Rajshahi universities and to make them autonomous institutions; to make education cheaper and within easy reach of the people and to provide for cheaper accommodation for the students.

#### ED. ADMINISTRATION

15. To take steps to eradicate all corruption, nepotism and bribery and with this end view to take stocks of the properties of all government officers and businessmen from 1940 onward and forfeit all properties <sup>the</sup> and acquisition of which is not satisfactorily accounted for.

16. To make an all out curtailment of the cost of the administration and to rationalise the pay scale of high and low paid government servants. The Ministers shall not accept more than 1000/- as their monthly salary.

### III. LANGUAGE:

17. To convert Burdwan House for the present into a Students residence and afterwards into a research institute of Bengali language and literature.

18. To erect a Monument to commemorate the memory of the martyrs who gave their lives for the Bengali language on February 21st. and to compensate the bereaved families.

19. To declare 21st of February as 'Shaheed Day' and a public holiday.

### IV. SAFEGUARDING DEMOCRACY:

20. The East Pakistan Ministry shall on no account extend the life of the Legislature and shall resign six months before the general elections to facilitate free and fair elections.

21. All casual vacancies in the legislature shall be filled up through by elections within three months of the vacancies and if the nominees set up by the ministry are defeated in three successive by elections, the ministry shall voluntarily resign from office.

(The above is taken from Charter of Peoples' Demand: 21 Point Programme, published by Qorban Ali (member of the assembly 1954-58). (n.d.).

## APPENDIX IV

Election Symbols

Twenty-four elections symbols were used in the 1954 election. Twenty-two of these (obtained from the East Pakistan Government Press, Dacca) are reproduced below. It has not been possible to establish the party identity of the symbols except the following:

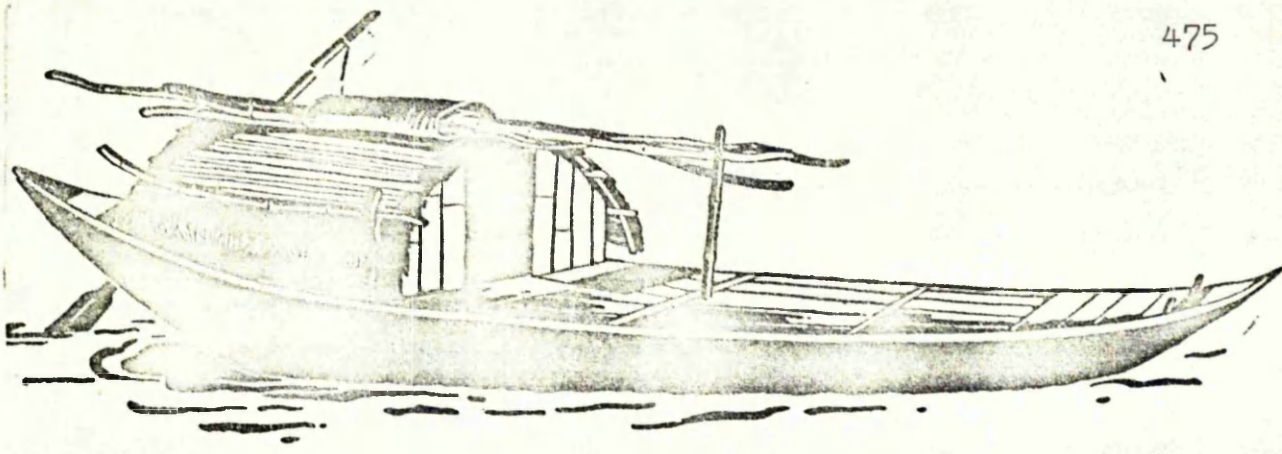
Muslim League	-	Hurricane Lamp
United Front	-	Boat
PNC	-	Cart (properly, bullock cart)
MUF	-	Boat
Communist Party	-	Sheaf of Paddy

(See, Dawn, Mar. 8, 1954; Statesman, Mar. 11, 1954)

A large proportion of the symbols apparently were awarded to independent candidates. Constituency-wise list of names of all candidates, their addresses and election symbols were published in the Dacca Gazette Extraordinary, Jan. 28, 1954. But there was no indication of party affiliation of members or of those who stood as independent candidates.

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Axe	475	Hukka	480
Bicycle	475	Hurricane Lamp	480
Boat	475	Inkpot & Pen	479
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Cart (bullock cart)	477	Mango Fruit	481
Cart	476	Pine Apple	482
Chair	477	Rifle	481
Clock	477	Scales	481
Date-palm	478	Scissors	482
Dhol (Drum)	478	Sheaf of Paddy	482
Flower	479	Sword	479

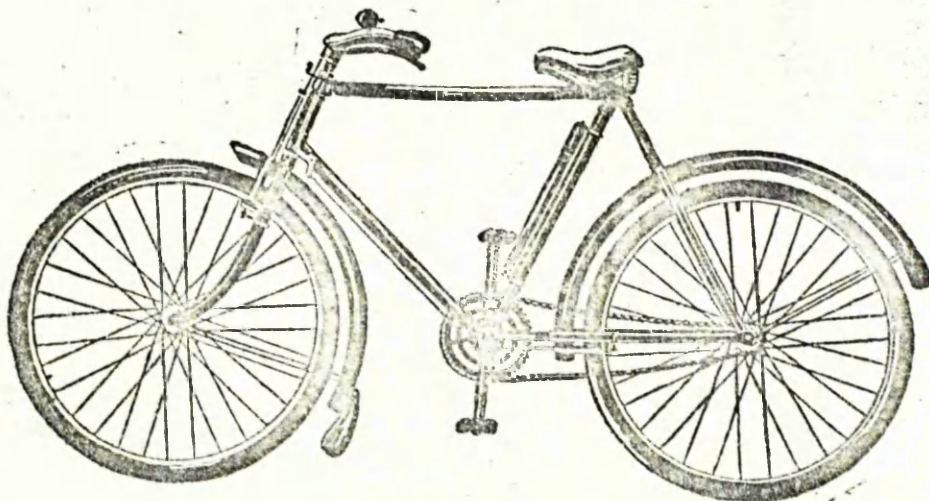


BOAT

বোতা



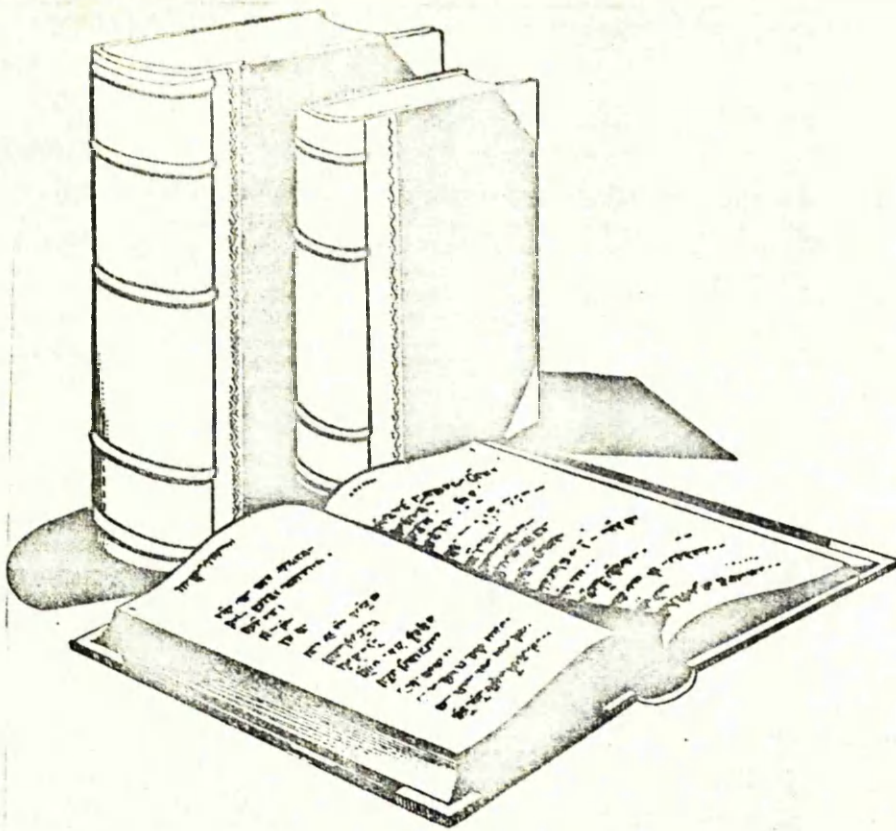
AXE (কুড়াল)



BICYCLE

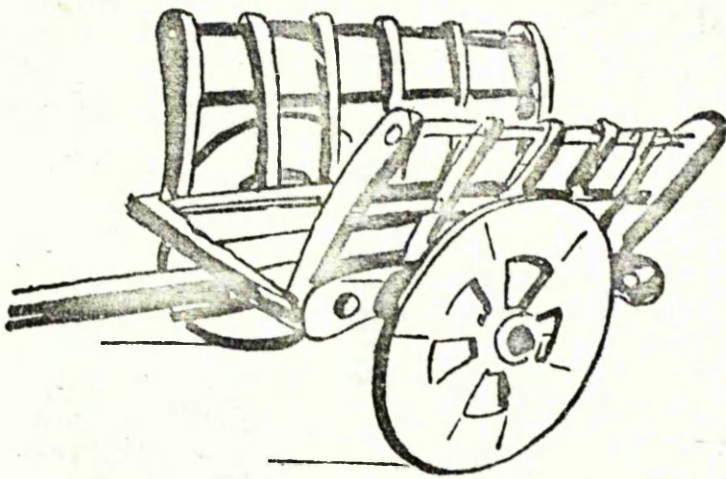
বাইসিকেল





BOOK

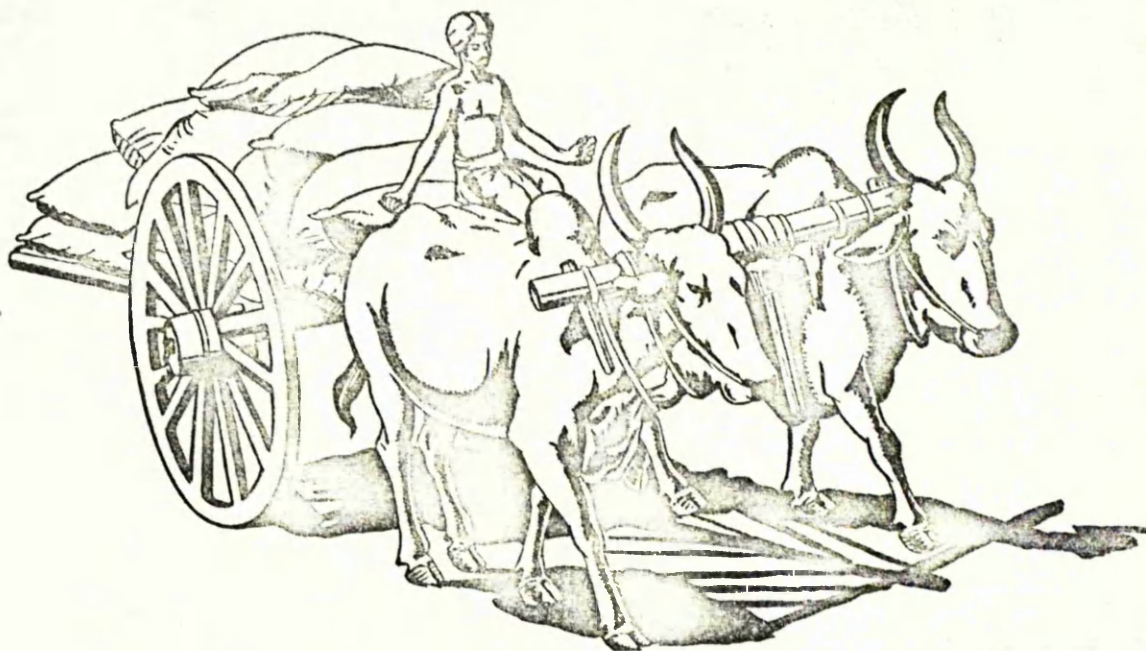
ਰਹੈ



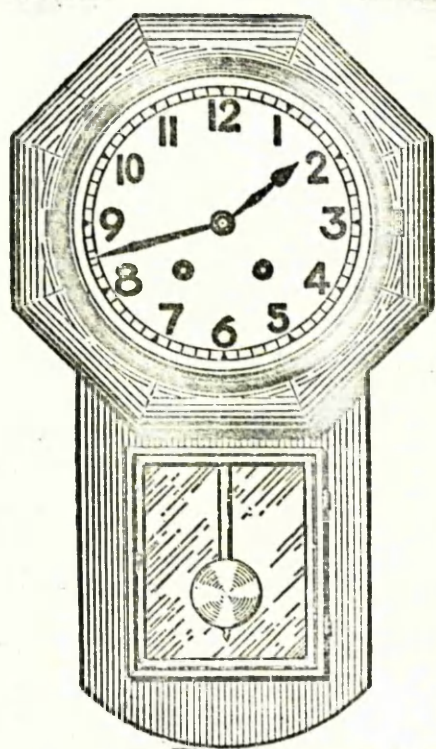
CART

ਗਾਡੀ



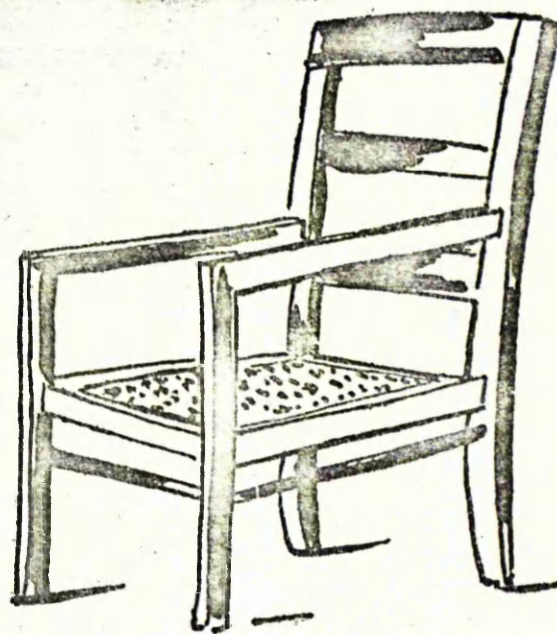


CART (গরুর গাড়ী)



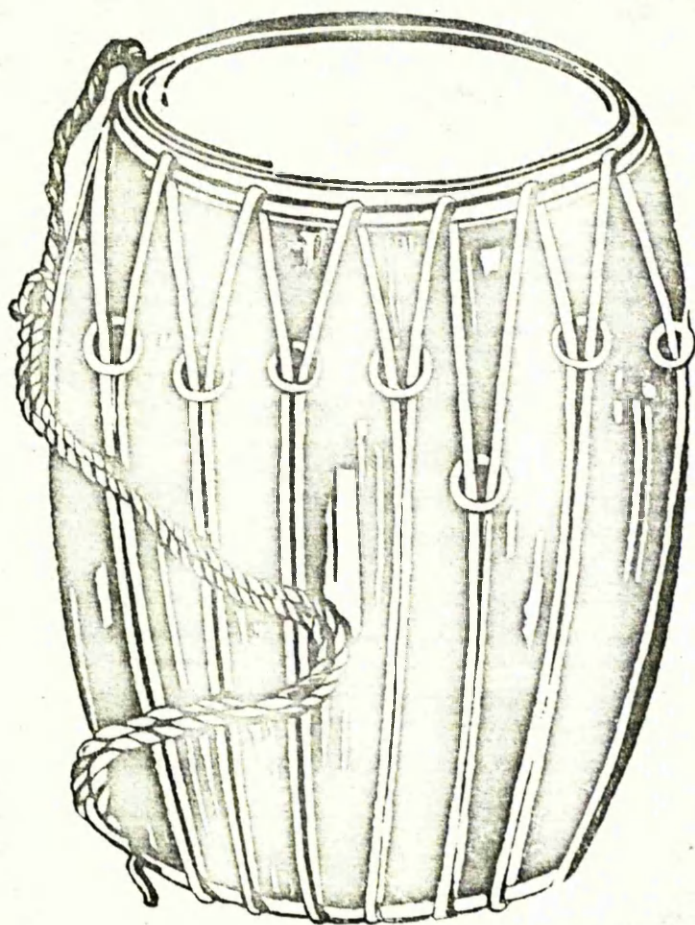
CLOCK

ঘড়ি



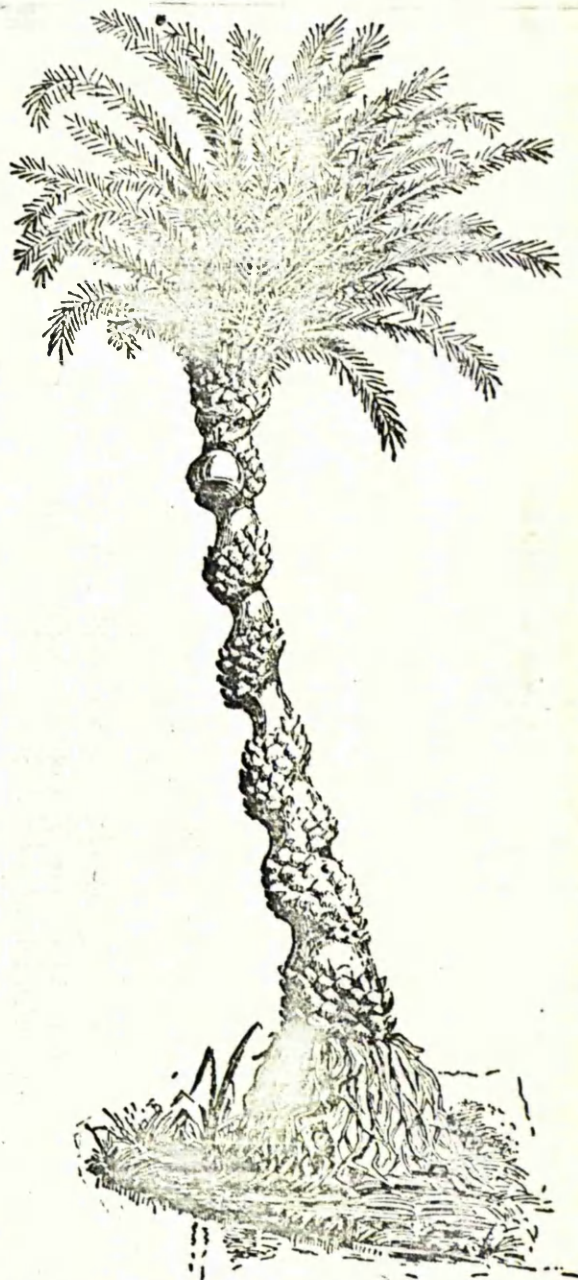
CHAIR

চেয়ার



DHOL (DRUM)

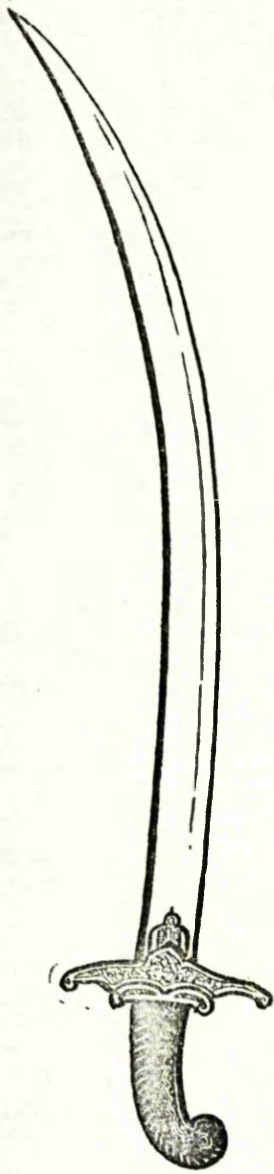
ঢোল



DATE-PALM

খেজুরগাছ

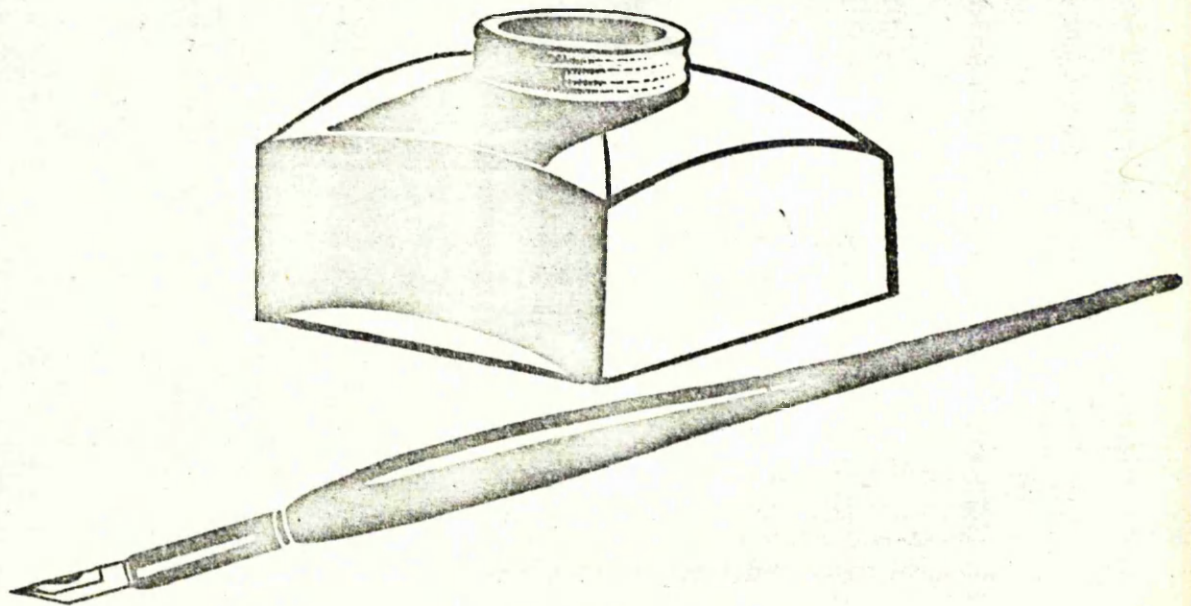




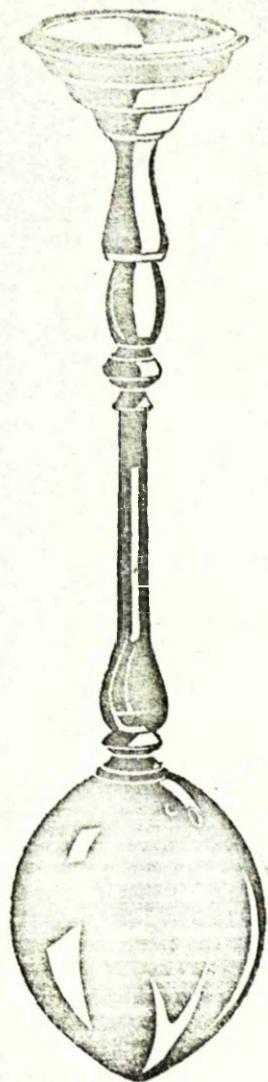
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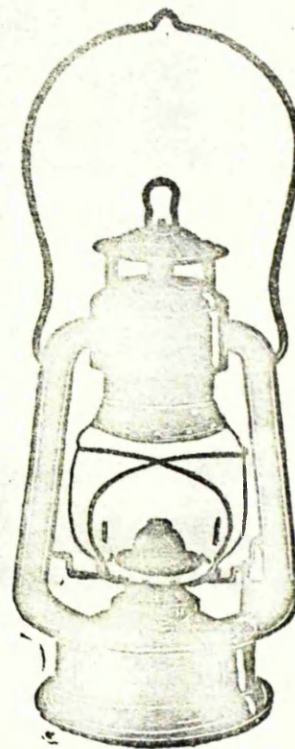
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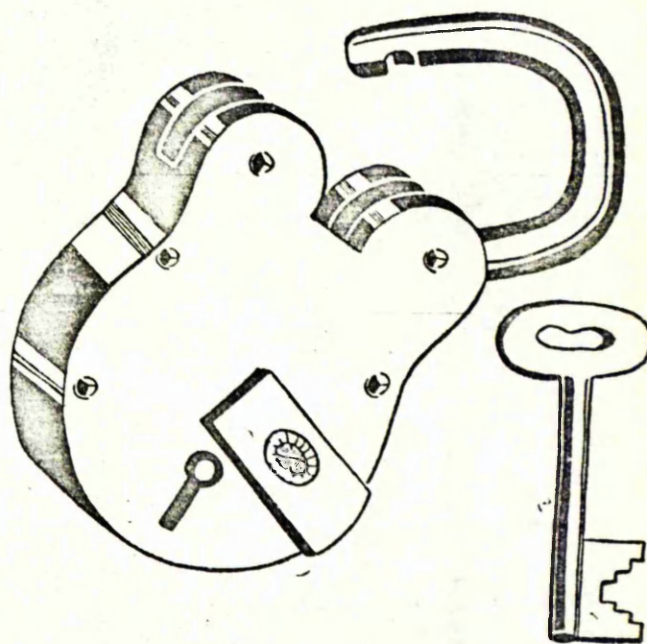
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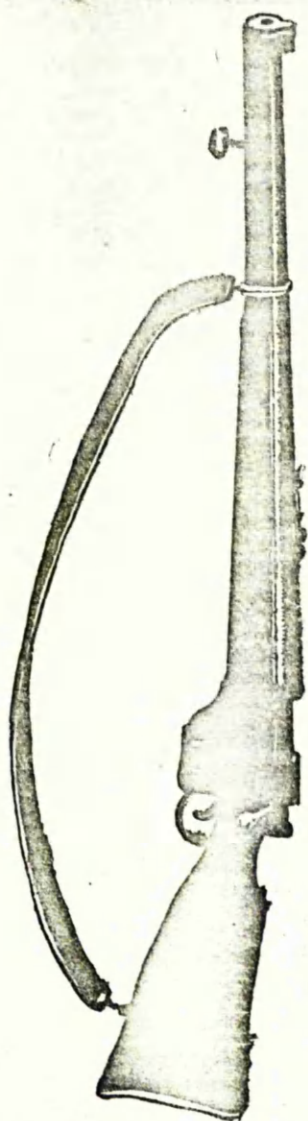


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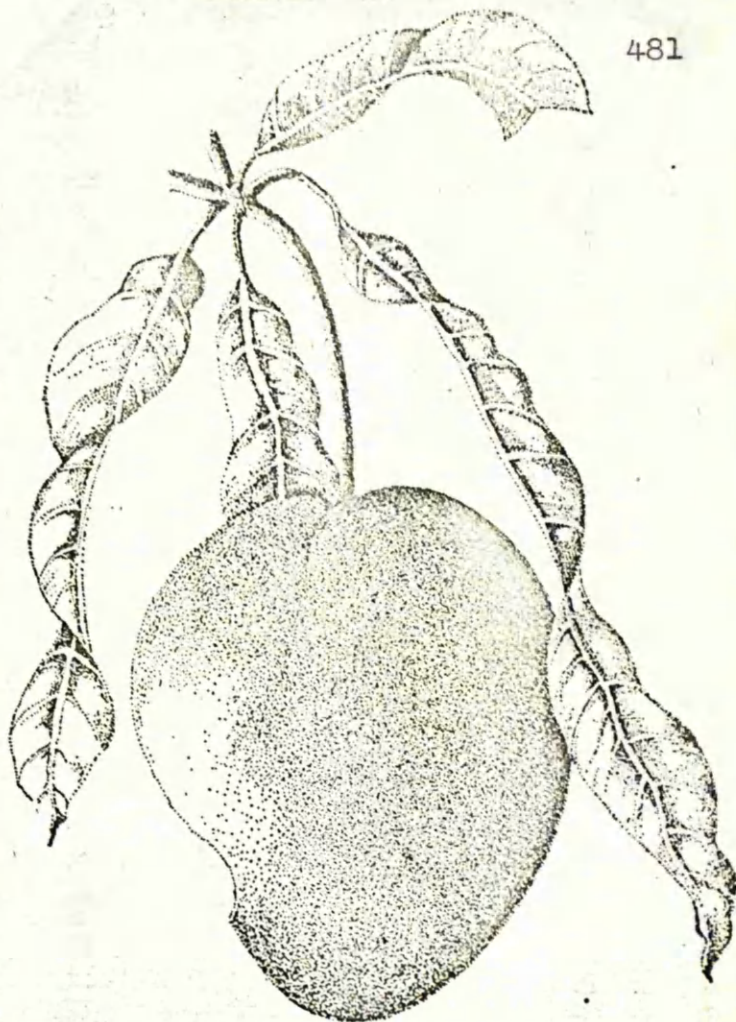
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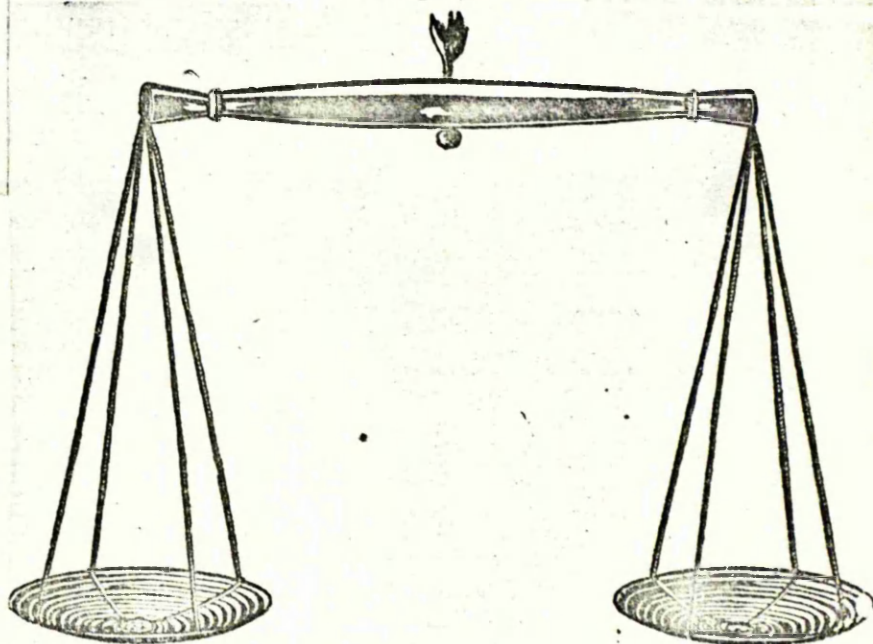
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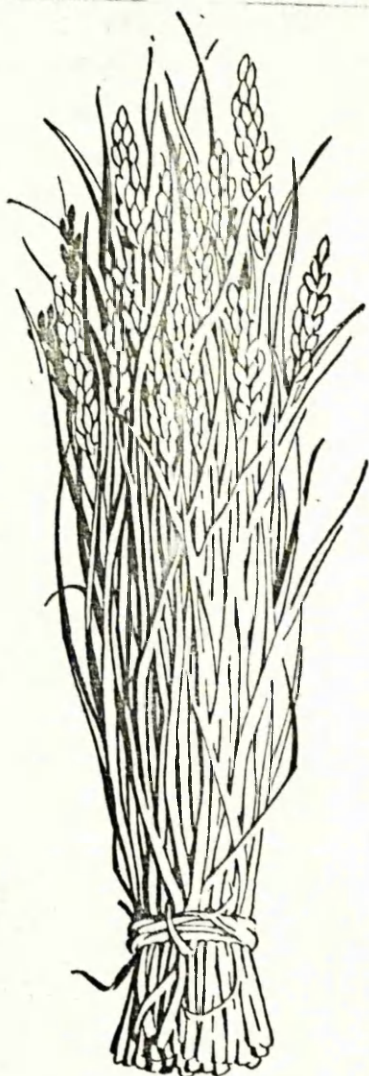
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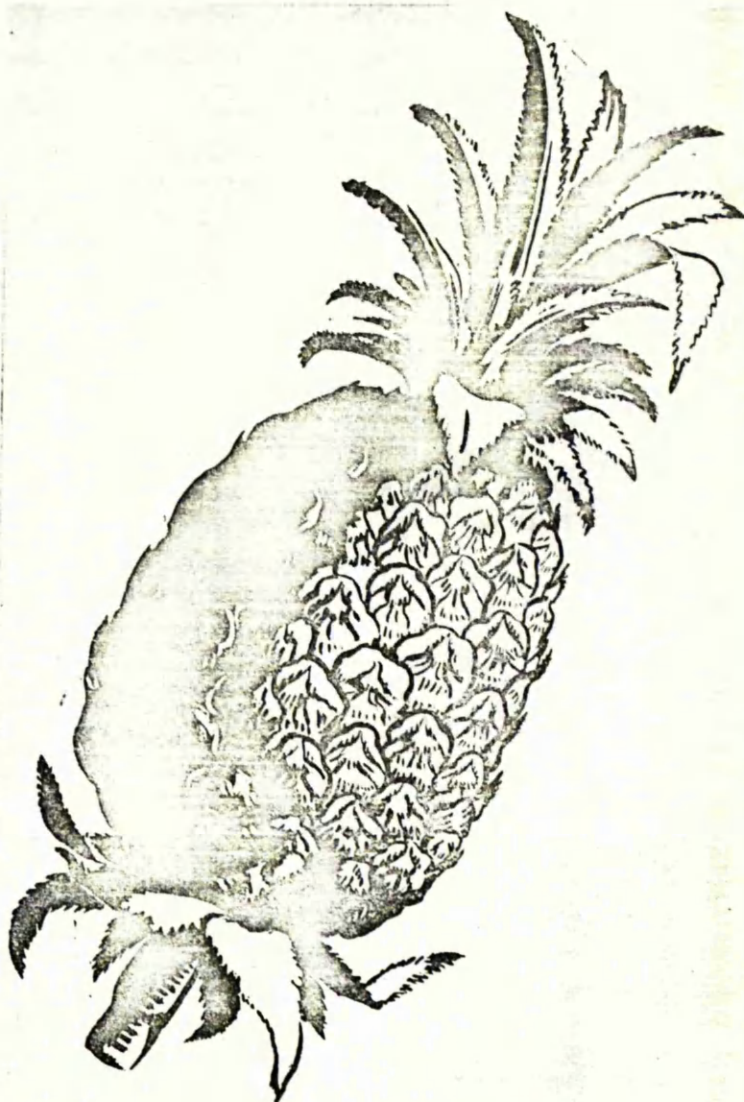
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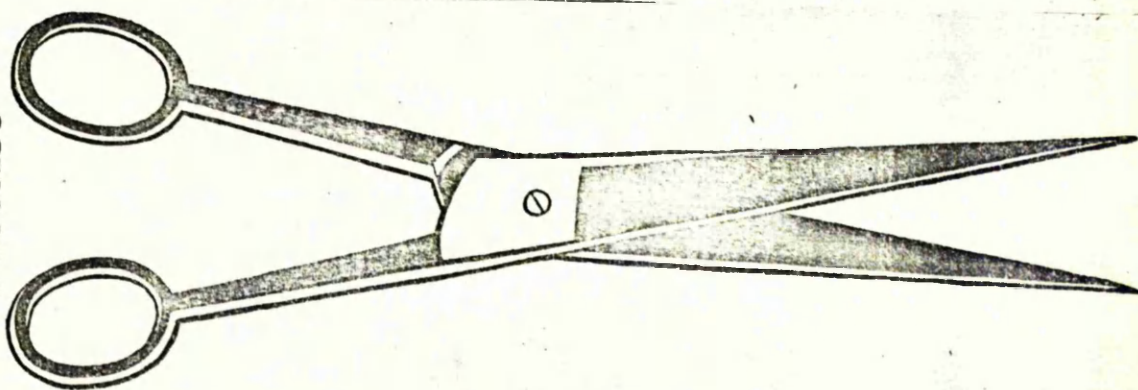
SHEAF OF PADDY

ধানের ঝাঁটি



PINE APPLE

আনারস

SCISSORS  
কাঁচি



## APPENDIX V

Party-wise strength of members of the Assembly (1954-58) as shown in the statement preparedby the assembly secretariat

	1954	1955 (5.6.55)	1956	1956 (6.9.56)	1957	1957 (12.9.57)	1958 (31.3.58)	1958 (31.3.58)	1958 (1.4.58)	1958 (19.6.58)	1958 (23.6.58)	1958 (Sept- ember)
Total number of seats	309	309	309	309	309	309	309	309	309	309	309	309
Number of vacant seats	1	5	7	7	nil	nil	2	2	2	2	2	2
Number of sitting members	308	304	302	302	309	309	307	307	307	307	307	307
Names of political parties and their strength												
Muslim League	9	9	9	9	10	12	12	12	12	12	12	11
Pakistan National Congress	21	21	21	21	28	28	28	22	22	22	22	22
PMC (led by Khetrva Nath Moitra)								5	5	5	5	5
Scheduled Caste Federation	38	37	30	19	19	19	19	19	19	19	19	19
SCF (group of G.C. Bala)				11	4	4	4	4	4	4	4	4
SCF (group of Madhusudan Sarkar)				strength not known								
Awami League	94	94	94	108	115	115	115	115	115	115	115	118
Dissident Awami League (led by A. Saleem Khan)				10	10	9	9	9	9	9	9	9
United Front Party (AL, KSP, NI)	227	30	18	10	10	9	9	9	9	9	9	9
Nizam-i-Islam		21	21	21	22	22	22	22	22	22	22	22
Krishak Sevak Party		79	83	54	52	52	51	51	51	51	51	49
Ganatantri Dal			11	3	3	3	3	3	3	3	3	3
Khilafat-i-Rabbani Party			1	1	1	1	1	1	1	1	1	1
Imarat Party			1	1	1	1	1	1	1	1	1	1
United Progressive Party (led by P.O. Mahir)				7	7	7	7	7	7	7	7	7
UPP (led by D.N. Datta)	7	7	7	6	6	6	6	6	6	6	6	6
National Awami Party	6	6	6	31	30	30	30	30	30	30	30	30

(Note: The statement does not fully represent the fragmented composition of the assembly during the years 1954-58, as described in Chapter IV. The statement also of course does not convey the movement of members to and from parties while the over-all strength of the respective parties through the periods as indicated in the statement, after plus and minuses, might remain relatively static.



## APPENDIX VI

Question Form

## Form 1 - Question

East Pakistan Assembly Secretariat

(One form should be used in  
one Question).(To be filled up in the Assembly  
Secretariat).

To

Name of the member-

The Secretary

Date of receipt-

East Pakistan Assembly

Serial No:-

Dear Sir,

Question No.-

I beg to give notice of the  
following Question for the  
next/present Session of the  
Assembly commencing/continuing  
on the .....  
.....

Agenda No.-

The Question may be treated  
as Starred/Unstarred Question.

Copy to Department concerned on-  
Assembly Secretariat note-

Yours truly,

Member, East Pakistan  
Assembly.

The Question concerns the.....

Department and is in time for the  
meeting of the Assembly to be

Dated .....195

held on the .....195....

Name of the member-

Question.

Will the Minister-in-  
charge of the .....  
..... Department be  
pleased to state-

## APPENDIX VII

Lists of Questions and Answers

## Questions and Answers

## Starred

Session of the East Pakistan Assembly continuing on the  
28th September, 1956.

## NINTH LIST

[Vide REGULATIONS UNDER RULE 31 (ORDERS 3 to 5).]

\* \* \* \* \*

Treatment of Mr. Shamsul Haq in the Lahore Mental Hospital.

\*35. Mr. ABDUS SAMAD: (a) Will the Minister-in-charge of the Health Department be pleased to state whether it is a fact that Mr. Shamsul Haq, Ex-M.L.A., from Tangail and Ex-General Secretary, East Pakistan Awami League, was sent to Lahore for his treatment in Lahore Mental Hospital by the East Pakistan Government?

(b) If the answer to (a) is in the affirmative, will the Minister be also pleased to state-

(i) the amount that has so far been paid by the East Pakistan Government for his treatment excluding passage; and

(ii) his present condition?

Mr. DHIRENDRA NATH DATTA: (a) Yes.

(b)(i) Rs. 356-6 up to 31st March, 1956.

(ii) Physically his condition is good but there is no change of his mental condition.

Excavation of the Rivers Gorai, Kali and Kumar in Kushtia District

\*36. Mr. SYED ALTAH HUSSAIN: (a) Will the Minister-in-charge of the Communication, Buildings and Irrigation Department be pleased to state whether Government have any scheme for dredging the rivers Gorai, Kali and Kumar in the district of Kushtia?

(b) If the answer to (a) is in the affirmative, will the Minister be also pleased to state how long it will take to execute the plan?

Mr. KAFILUDDIN CHOUDHURY: (a) and (b) There is no scheme for dredging the rivers Gorai, Kali and Kumar at present. There is, however, a proposal for excavation of the rivers Gorai and Kumar which is included in the "comprehensive drainage scheme for Faridpur District" the 1st phase of which is being taken up for execution in the coming working season. The river Kaligonga is included in the Ganges-Kobadak Project (1st phase) which is now under execution. It will be improved by the execution of the said Project.

Private Secretary to the Governor.

\*37. Mr. MD. SHAMSUL HUQ: (1) Will the Minister-in-charge of the Home Department be pleased to state-

(a) the name of the Private Secretary to the Governor of East Pakistan on 1st June, 1956;

(b) his academic qualifications;

(c) whether his appointment has been made on the recommendation of the East Pakistan Public Service Commission?

(2) If the answer to (1)(c) is in the negative, will the Minister be pleased to state-

(i) as to who is responsible for this appointment; and

(ii) whether this appointment has been subsequently ratified by the Public Service Commission?

Mr. ATAUR RAHMAN KHAN: (1)(a) Mr. Md. Yakub.

(b) I. Sc. passed.

(c) No.

(2)(i) Appointment to the post of Private Secretary to the Governor is made by the Home Department in consultation with the Finance Department but the selection of the candidate is made by the Governor.

(ii) No. It is not necessary to consult the Public Service Commission for temporary appointments for a period not exceeding one year.

Management of the Chandpur Municipality.

\*38. Mr. HAFEZ Md. HABIBUR RAHMAN: (1) Will the Minister-in-charge of the Local Self-Government Department be pleased to state-

(a) if it is a fact that in the audit report of the Chandpur Municipality for the year 1954-55 some serious allegations were made against the management of the said Municipality and particularly against its Chairman;

(b) if so, what are those allegations; and

(c) the actions, if any, so far the Government have taken against the said Municipal authorities?

(2) If the answer to (1)(a) is in the affirmative, will the Minister be also pleased to state whether Government is considering the desirability of superseding the said Municipality?

Mr. MASIHUR RAHMAN: (1)(a) Yes.

(b) The matter is under consideration of Government.

(c) Does not arise.

(2) Does not arise.

Transfer of Mr. Rifat Pasha Sheikh, District Magistrate of Chittagong.

\*39. Mr. A.K.M. FAZLUL QUADER CHOUDHURY: Will the Minister-in-charge of the Home (Appointment) Department be pleased to state whether it is a fact that Mr Rifat Pasha Sheikh, C.S.P., District Magistrate of Chittagong was transferred as he arrested a certain person for blackmarketing of Cement who is now a Minister of Government of East Pakistan?

Mr. ATAUR RAHMAN KHAN: No.

Protected areas in East Pakistan.

\*40. Mr. A.K.M. FAZLUL QUADER CHOUDHURY: Will the Minister-in-charge of the Home Department be pleased to state-

(a) whether there is any protected area in East Pakistan other than the Secretariat premises of the East Pakistan Government;

(b) if so, whether there is any non-official premises which has been declared protected area; and

(c) if it is a fact that Adamjee Mills area including the Labour Colony has been declared protected area?

Mr. ATAUR RAHMAN KHAN: (a) Yes.

(b) Yes.

(c) Yes.

DACCA;

S.M. RAHMAN,

The 27th September, 1956

Secretary to the East Pakistan Assembly.

## Questions and Answers

## Unstarred

Session of the East Pakistan Assembly continuing on the  
28th September, 1956.

## NINTH LIST

[Vide REGULATIONS UNDER RULE 31 (ORDERS 3 TO 5).]

\* \* \* \* \*

Violence committed by any Political Party.

29. Mr. PURNENDU DASTIDAR: Will the Minister-in-charge of the Home Department be pleased to state-

- (a) whether there have been any act of violence committed by any member or members of any political party in East Pakistan since 1950;
- (b) if so, when, where and by whom; and
- (c) whether there is any procedure of checking the constant flow of D.I.B. reports against known politicals of British period (before partition) about their complicity in so called violent acts against the Government of East Pakistan necessitating their constant detention since 1948 without trial?

Mr. ATAUR RAHMAN KHAN: (a) and (b) It is not possible to answer this part of the question without specific particulars.

(c) Seventy security prisoners including some who had been in detention for some years have been released recently.

It is not in public interest to disclose how reports against prisoners suspected of anti-State activities are checked.

Establishment of a Veterinary Hospital.

30. Mr. HATEM ALI KHAN: (a) Will the Minister-in-charge of the Agriculture Department be pleased to state whether it is a fact that there is no Veterinary Hospital within 30 miles of the middle areas in between Gopalpur police-station under Tangail Subdivision and Jamalpur Subdivision?

(b) Will the Minister be pleased to state whether it is a fact that the people of the areas in question submitted to Government a representation with recommendation of the District Veterinary Officer for the establishment of a veterinary hospital at Gopalpur?

(c) If the answers to (a) and (b) are in the affirmative, will the Minister be pleased to state at what stage the matter now stands?

(d) Does the Government consider the desirability of establishing one veterinary hospital at Gopalpur in Tangail Sub-division, Mymensingh?

Mr. KHAIRAT HUSSAIN: (a) Yes.

(b) Yes.

(c) and (d) The question of establishment of a Veterinary Hospital at Gopalpur in Tangail Subdivision is under the active consideration of Government.

DACCA;

S.M. RAHMAN,

The 27th September, 1956

Secretary to the East Pakistan  
Assembly.



## APPENDIX VIII

Adjournment Motions Moved on the Floor

Following are the texts of adjournment motions which were admitted for debate in the first and second assemblies. The names of the movers and their party affiliations, excepting two, have been noted. In one case, the member could be described as an Awami League Seceder, though his exact party status after defection was uncertain; the party affiliation of the other was not known. The dates when the adjournment motions were admitted and discussed have been mentioned. The fate of these motions admitted for debate on the floor have also been briefly noted.

First Assembly.

1. Jatindra Nath Bhadra. PNC. This Assembly ~~to~~ adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the inhuman and the most barbarous oppression by armed police and soldiers committed upon the Hindu population of villages ... in the district of Sylhet, in the shape of molestation of women, looting, destruction of properties and desecration of deities from the 18th to the 24th of August, 1949. Admitted on 14.11.49, discussed on 18.11.49.

Talked out.

2. Dhirendra Nath Datta. PNC. This Assembly ~~to~~ adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, viz., the serious situation created in East Bengal on account of abnormal fall of price of jute. Admitted on 6.10.52, discussed on 23.10.52. Talked out.

## Second Assembly

1. Ataur Rahman Khan. AL. This Assembly do adjourn its business to discuss a definite matter of urgent public importance and of recent occurrence, namely, the serious situation that has arisen in the province on account of the abnormal rise of water level in all rivers affecting the life and property of the people. Admitted and discussed on 5.8.55. Talked out.
2. Sheikh Mujibur Rahman. AL. The business of the Assembly do now stand adjourned to discuss a definite and specific matter of urgent public importance and of recent occurrence, viz., failure of the Government to tackle food problems in the province of East Pakistan, resulting in famine condition prevailing throughout the length and breadth of the province and acute distress caused due to paucity of supply of daily necessities of life, such as rice, mustard oil and other essential commodities. Admitted on 22.5.56, scheduled for discussion on 25.5.56 but the assembly was unexpectedly adjourned sine die on 22.5.56.
3. Ahmed Hossan. The business of the House do stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence namely the grave situation that has arisen in the different districts of the province on account of the abnormal and unprecedented rise in the price of rice. Admitted on 17.9.56, discussed on 20.9.56. Talked out.
4. Fazlul Quader Chowdhury. ML. The Assembly do stand adjourned to discuss a definite matter of urgent public importance, viz., the scandalous attack on our Holy Prophet and the consequent killing of the Muslims of India and mass indiscriminate arrests of Muslims in India and in Pakistan on the ground

of agitation against the publication in India containing vile attack on our Holy Prophet. Admitted on 18.9.56, discussed on 21.9.56. During discussion, on the suggestion of the chief minister, the adjournment motion was withdrawn. Instead, resolutions in modified form were moved by the chief minister and agreed to by the House.

5. Syed Quamarul Ahsan. NIP. The business of the Assembly do stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation that has arisen owing to the alarming and rapidly deteriorating food position in the province consequent upon the abnormal rise in the prices of rice and paddy and the failure of the Government to take steps to prevent the deterioration. Admitted on 11.3.57, discussed on 12.3.57. Before the Minister could complete his reply, the opposition demanded that the question be now put. The Speaker maintained that the minister was entitled to some more time. The opposition walked out in protest. The motion talked out.

6. Pravash Chandra Lahiry. UPP. The business of the Assembly do now stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, namely, the existing specific economic crisis throughout the province, especially in the rural areas of all districts and particularly in the district of Rajshahi, in the matter of purchasing capacity of the rural people in view of the day to day rise in the prices of foodstuff and other necessary commodities of life. Admitted on 21.9.57, discussed on 23.9.57. Put to vote, the government majority being 17.

7. Chittaranjan Sutar. G. Dal - later NAP? The business of the

Assembly do stand adjourned for the purpose of discussing a definite matter of urgent public importance namely, the indignities, harrassment, physical assault inflicted upon licensed businessmen and traders and citizens holding responsible position and attempted criminal assault upon women in ... in the district of Bakerganj by the military personnel engaged by the Government for Anti-smuggling works called as 'Operation Closed Door' and the failure of the local administration to extend any protection to the victims. Admitted on 13.3.58, discussed on 17.3.58. Talked out.

8. Bijoy Bhushan Chatterjee. This House do now adjourn to discuss a definite matter of recent occurrence and of urgent public importance, namely, the failure of the Government to ensure free voting in the Union Board Elections held in the Kaliganj police station of Dacca district on the 21st and 22nd March, 1958. Admitted on 24.3.58, discussed on 26.3.58. After discussion the motion withdrawn at the request of the chief minister.

9. Mohammad Shahidullah. KSP. The business of this Assembly be adjourned to discuss a definite matter of urgent public importance, namely, the failure of the Government to maintain law and order. Admitted on 12.6.58, discussed on 16.6.58. Talked out.

10. Syed Quamarul Ahsan. NIP. The business of the Assembly do now stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the outbreak of smallpox in epidemic form in the province leading to thousands of deaths in the whole of East

Pakistan. Admitted on 13.6.58, scheduled for discussion on 22.6.58. However, the Government fell on 18.6.58. In the ensuing governmental instability the time of the House was taken up by the techniques of dislodging the new government, and the assembly adjourned on 20.6.58, with a no-confidence motion before the House, to meet on 23.6.58.

## APPENDIX IX

List of Business for a day

## EAST BENGAL LEGISLATIVE ASSEMBLY.

## LIST OF BUSINESS

for the session of the Assembly commencing on the 7th June, 1948.

## QUESTIONS AND ANSWERS.

1. Questions to be asked and answers to be given.

GOVERNMENT BUSINESS.  
Legislation.

The criminal Law (East Bengal Amendment) Bill, 1948.

- I. The Hon'ble Mr. K. Nazimuddin to proceed to introduce the Criminal Law (East Bengal Amendment) Bill, 1948.
- II. The Hon'ble Mr. K. Nazimuddin to move that the Criminal Law (East Bengal Amendment) Bill, 1948 to be taken into consideration.

(Here will be taken amendments, if any)

- III. The Hon'ble Mr. K. Nazimuddin to move that the Criminal Law (East Bengal Amendment) Bill, 1948, as settled in the Assembly, be passed.

The Criminal Law (East Bengal Second Amendment) Bill, 1948.

- IV. The Hon'ble Mr. K. Nazimuddin to proceed to introduce the Criminal Law (East Bengal Second Amendment) Bill, 1948.
- V. The Hon'ble Mr. K. Nazimuddin to move that the Criminal Law (East Bengal Second Amendment) Bill, 1948 be taken into consideration.

(Here will be taken amendments, if any)

- VI. The Hon'ble Mr. K. Nazimuddin to move that the Criminal Law (East Bengal Second amendment) Bill, 1948, as settled in the Assembly, be passed.

Dacca  
The 5th June, 1948.

S.A.E. Hussain.  
Secretary to the East Bengal  
Legislative Assembly.



Appendix to the List of Business of the East Bengal Legislative  
Assembly for the 7th June 1948.

Note: Amendments in the list below have not yet been admitted  
by the Hon'ble Speaker.

Amendments to Bills.

The Criminal Law (East Bengal Amendment) Bill, 1948.

Amendments to the Motion

Nil.

Amendments to Provisions

1. Mr. Md. Abdullah to move by way of amendment:-

a) that in sub-clause (2) of clause 1 of the Bill the words "including the district of Sylhet" be omitted.

b) that in line 6 of the sub-clause (1) of clause 4 of the Bill, after the words "District of Judge" the words "or the sub-divisional Munsif" be added and similar amendments be made after the words "District Judge" whenever occurring in the Bill hereafter.

2. Mr. Nurul Hossain Khan to move by way of amendment that in sub-clause (1) of clause 4, in line 6 after the words "District Judge" the words "and may direct the Police to institute a case where no such case has already been started" be added.

3. Mr. Monoranjan Dhar to move by way of amendment that in line 8 of sub-clause (1) of clause 4 after the word "business" the words "or calling, official or otherwise" be inserted.

4. Mr. Nurul H. Khan to move by way of amendment that:-

(a) that sub-clause (3) of clause 5 be omitted.

(b) that in sub-clause (4) of clause 5, the words

"not withstanding that no notice has been served upon him under this section" be omitted.

5. Mr. Monoranjana Dhar to move by way of amendment that in line 2 of clause 8 the words "so far as may be practicable" be omitted.

6. Mr. Nurul H. Khan to move by way of amendment that sub-clause (1)(a) of clause 10 be omitted.

7. Mr. Md. Abdullah to move by way of amendment that in line 6 of sub-clause (1) of clause 12 after the words 'High Court' the words "or the District Judge as the case may be" be added and that similar amendments be made after the words "High Court" wherever occurring in the Bill hereafter.

8. Mr. Nurul H. Khan to move by way of amendment:-

(a) that in sub-clause 3 of clause 14, from the words "such amount or value" in the fifth line up to the words "of attachment" in the 15th line be omitted and the words "the entire property attached or the security given" be inserted in their place.

(b) that in the schedule after item No. 5, the provision of section 7 of Act 24 of 1946 (Food Grain Control Order) be inserted.

Dacca  
The 5th June, 1948.

S.A.E. Hussain  
Secretary to the East Bengal  
Legislative Assembly.

## APPENDIX X

List of business on a Private Members Day

## EAST BENGAL LEGISLATIVE ASSEMBLY

List of Business  
for the session of the East Bengal Legislative Assembly  
continuing on the 2nd April, 1948

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I. QUESTIONS AND ANSWERS

Questions to be asked and answers to be given

---

## NON-OFFICIAL BUSINESS

II. Non-Official Members Resolutions.

Order of precedence of Non-Official Resolutions on the matters of General Public interest arrived at by ballot for the Budget Session 1948.

1. Moulana Abdul Hamid Khan : This Assembly is of opinion that the Government of East Bengal should take immediate steps to abolish the Zemindary system in East Bengal without the payment of compensation.

2.\*. Mr. Md. Abdul Hakim Vikramপুরi : This Assembly is of opinion that Bengali should be a State Language of Pakistan enjoying equal status with Urdu in all its implications and uses including its use in the Pakistan Constituent Assembly and Legislature and therefore recommends to the Pakistan Constituent Assembly and the Government of Pakistan its immediate adoption in all uses of the State and the Assembly.

(ii) This Assembly requests also the members of the Constituent Assembly and urges upon the members representing Bengal to take all necessary steps for immediate adoption of Bengali as a State language of Pakistan enjoying equal status with Urdu

(iii) This Assembly recommends to the Government of Pakistan -

(a) to recognise Bengali as the official language of the Government of East Pakistan;

- (b) to introduce Bengali immediately in all currencies, in telegraph and postal articles such as post cards, forms, books etc., in Railway tickets and in all other kinds of official and semi-official forms of the State of Pakistan;
- (c) to introduce Bengali as a medium and as one of the subjects for all competitive examinations for entry into all Central Civil Services and in all services in the Army, Navy and Air Force of Pakistan.

---

\* This resolution is not admitted, Mr. Speaker will decide its admissibility on the floor of the House.

---

3. Mr. Benode Chandra Chakraborty : This Assembly is of opinion that owing to changed circumstances prevailing in the country the Government of East Bengal should take immediate steps to abolish the District Boards constituted under the Bengal Local Self-Government Act and vest the union boards with powers to perform the work of District Boards under the direct supervision and guidance of the Minister in charge of the Local Self-Government of this Government.

4. Sj. Monoranjan Dhar : This Assembly is of opinion that immediate steps should be taken by the Government of East Bengal to popularise the spread of Charka through village centres by paid workers for the manufacture of hand-spun and hand-woven clothes to relieve the acute shortage of yarn and cloth in the province.

5. Mr. Md. Abdullah : This Assembly is of opinion that a Committee be formed to enquire and report regarding the supply policy regarding essential commodities followed by the Government of East Bengal for the consideration of the House.

6. Mr. Nurul Hossain Khan : This Assembly is of opinion that for the protection of the State the Government of East Bengal be strongly urged upon to grant gun licence to every family in East Bengal as far as possible.

7. Mr. Ali Ahmed Chowdhury : This Assembly is of opinion that the Government of East Bengal be strongly urged upon to make an immediate representation to the Government of Pakistan to depute some responsible officers to enquire into the policy of assessments followed by their local officers which is detrimental to the development and progress of trade in the Province of East Bengal.

8. Sj. Haran Chandra Burman : This Assembly is of opinion that for the welfare and interest of this Province the Government of East Bengal should take immediate steps to stop the movement and activities of the Communist Party in East Bengal.

9. Mr. Abdul Bari Chowdhury : This Assembly is of opinion that a Committee be formed to enquire and report regarding procurement and distribution policy of the Government of East Bengal followed in the matter of food-stuffs, cloth, kerosine and other essential

commodities for the consideration of the House.

10. Mr. Jatindra Nath Bhadra : This Assembly is of opinion that the Government of East Bengal be requested to adopt Bengali as the provincial Language and medium of instruction in East Bengal.

11. Mr. Dewan Abdul Basith : This Assembly is of opinion that the Government of East Bengal should take immediate steps to abolish the Department of Civil Supplies as a measure of economy.

12. Mr. Md. Idris Ali : This Assembly is of opinion that a Committee be formed to enquire and report regarding the procurement policy of the Government of East Bengal for the consideration of the House.

13. Sj. Ganendra Chandra Bhattacharya : This Assembly is of opinion that the Government of East Bengal should take immediate steps to ban all political organisations with communal composition in the country.

III.

#### NON - OFFICIAL BILLS

( Issued as an appendix )

S.A.E. Hussain

Dacca, Secretary to the East Bengal Legislative Assembly.

The 2nd April 1940

GA 1-3-48

Appendix to the list of business for the 2nd April, 1948.

Non - official Business

Private Members' Bills

+ The East Bengal Fisheries Bill, 1948.

1. Mr. Haran Chandra Barman to move for leave to introduce the East Bengal Fisheries Bill, 1948.
2. Mr. Haran Chandra Burman to move that the East Bengal Fisheries Bill, 1948 be taken into consideration.

(Here will be taken amendments if any)

3. Mr. Haran Chandra Burman to move that the East Bengal Fisheries Bill, 1948 as settled in the Assembly be passed.

\* The East Bengal Hindu Social Equality Bill, 1948.

4. Mr. Ganendra Chandra Bhattacharya to move for leave to introduce the East Bengal Hindu Social Equality Bill, 1948.

Dacca:  
The 2nd April, 1948.

S.A.E. Hussain  
Secretary to the East Bengal  
Legislative Assembly.

+ Admitted provisionally subject to previous sanction of His Excellency the Governor under Section 299(3) of the Government of India Act, 1935, as adapted.

\* Admitted provisionally subject to order under Section 299(3) of the Government of India Act, 1935, as adapted.



## APPENDIX XI

Resolutions moved in the first and second assembly

Following are the names of movers, with their party affiliation at the time, the date when the resolutions were moved and the texts of the resolutions. The result has been indicated at the end. In case of resolutions moved in the first assembly, those instances where discussions followed the existing party divisions, whether with or without whips, have been indicated here by the phrase 'party-line'. When some members of a party supported while others opposed, or when there was no great divergence of opinion, it has been described here as 'cross-line'. This, however, has not been attempted for resolutions moved in the second assembly. Apart from there being a number of parties and changing coalitions, the task is made difficult by division of some parties into 'groups', and the presence of a large number of 'floating' members.

First Assembly:

1. Benode Chandra Chakroborty. PNC. 2.4.48. 'This Assembly is of the opinion that owing to changed circumstances prevailing in the country the Government of East Bengal should take immediate steps to abolish the District Boards constituted under the Bengal Local Self-Government Act and vest the Union Boards with powers to perform the work of District Boards under the direct supervision and guidance of the Minister-in-charge of the Local Self-Government Department of this Government'.

Party-line. Withdrawn.

2. Monoranjan Dhar. PNC. 2.4.48 and 9.4.48. 'This Assembly is of the opinion that immediate steps should be taken by the Government of East Bengal to popularise the spread of Charkha through village centres by paid workers for the manufacture of hand-spun and hand-woven clothes to relieve the acute shortage of yarn and cloth in the province'. Cross-line. Agreed to, with an amendment.

3. Syed Serajul Huq. ML. 19.10.51. 'This Assembly is of opinion that the Government should take immediate steps to introduce the system of uniform weights throughout the province'. Cross-line. Agreed to, with an amendment.

4. Mohammad Israil. ML. 26.10.51. 'This Assembly is of opinion that Wakf Estates of East Bengal should be directly managed by the Provincial Government under a separate Department under the control and administration of the Administrator, Charitable Institutions, East Bengal on the same lines as followed in the North-West Frontier Province Charitable Institutions Act, 1949'. Cross-line. Withdrawn.

5. Haran Chandra Burman. SCF. 2.11.51. 'This Assembly is of opinion that the Dacca Electric Supply Co. Ltd. should be nationalised'. Cross-line. Withdrawn.

6. Haran Chandra Burman. SCF. 2.11.51. 'This Assembly is of opinion that the entire purchase of jute of the East Bengal Province should be made only through the Co-operative Societies of the Province'. Cross-line. Withdrawn.

7. Khandkar Abdur Rashid Tarkabagish. ML. 9.11.51. 'The question of immediate prohibition of prostitution, licensed or otherwise, by means of legislation or executive orders, be taken into consideration'. (This, however, was moved as a special

motion and not as a resolution. It was stated that the mover wished to 'avoid the risk of a ballot'. None of the four resolutions on the agenda could be taken up on that day).

8. Pravash Chandra Lahiry. PNC. 17.10.52. 'This Assembly is of opinion that all political prisoners detained in jails without trial, be forthwith released for taking part in the ensuing general election of the province'. Party-line. Put to vote and negatived.

9. Syed Serajul Huq. ML. 31.10.52. 'This Assembly is of opinion that in this Province, boys and girls upto the age of twelve years be prohibited from smoking as a criminal offence, by a law enacted in this behalf'. Cross-Line. Withdrawn.

10. Mohammad Israil. ML. 27.2.53 and 27.3.53. 'This Assembly is of opinion that the Government should set up a Commission to enquire into the causes of high percentage of failures in the Examinations of the University of Dacca during the last 3 years and to suggest effective remedies thereof'. Cross-line. Agreed to, with an amendment.

11. Haran Chandra Burman. SCF. 27.3.53. 'This Assembly is of opinion that the 1st Baisakh of the Bengali year should be declared a public holiday'. Party-line. Put to vote and negatived.

12. Monoranjan Dhar. PNC. 28.8.53 and 4.9.53. 'This Assembly is of opinion that the Government should take immediate steps to form a Committee, of which not less than half the members shall be members of this Assembly representing the various sections thereof, to hold an enquiry into the working of the jail administration in this province with the following terms of reference:-

(a) to review the present nature and state of the jail

administration and to recommend changes for improvement with consequential modifications of the Bengal Jail Code and the Penal Code.

(b) to consider the question of introducing and applying the probation system.

(c) to consider the question of establishing after-care societies,

(d) to examine the conditions of living and scale of amenities for all classes of prisoners or detainees and recommend improvements therein,

(e) to examine the conditions of the present jail manufactories and the system of procuring various supplies for jails, and to suggest ways and means of reorganising existing jail industries and more fruitful ways of utilising convict labour, and

(f) to recommend necessary changes in the conditions of service or in the terms of reference of the present prison personnel,

with instruction to submit their report within three months from the date of announcement of the formation of the Committee'.

Party-line. Put and negatived.

13. Pravash Chandra Lahiry. PNC. 4.9.53. 'This Assembly is of opinion that all detainees detained under the East Bengal Public Safety Ordinance without trial be forthwith released unconditionally'. (Discussion not concluded as there was no more Private Members Days in the session).

Second Assembly.

1. M.A. Quasem. 30.9.56. 'This House is of opinion that Bengali should be introduced immediately as the official

language in each Department of the Government of East Pakistan and immediate steps should be taken to make it the medium of instruction at all stages of education'. Put and agreed to.

2. Mrs. Daulatunnessa Khatun. KSP? 30.9.56. 'This Assembly is of opinion that henceforward all proceedings of East Pakistan Assembly should be conducted in Bengali'. (Practically no discussion. Leader of the House opposed, while leader of the Opposition gave his support). Put and negatived.

3. Quamaruzzaman. AL? 30.9.56. 'This Assembly is of opinion that the Final examination of National Medical Schools in East Pakistan should be taken under the Faculty of Medicine and those who passed such examinations previously, be granted registered numbers'. (No discussion, as the mover stated that the government was already considering the matter and withdrew the resolution). Withdrawn.

4. Purnendu Dastidar. Ind./PNC. 30.9.56. 'This Assembly is of opinion that a suitable martyrs tomb be erected on the Jalalabad Hill to commemorate the supreme sacrifice of the twelve Chittagong heroes who fought there on 22nd April, 1930 for the cause of freedom'. Put and agreed to.

5. Mirza Gholam Hafez. Ganatantri Dal. 30.9.56. 'This Assembly is of opinion that the Government of East Pakistan should be requested to move the Government of Pakistan for the revision of the existing Warrant of Precedence to include the MPAs (Members of the Provincial Assembly) in the Warrant of Precedence and that should be determined consistent with their rights, privileges and status as legislators'. (Practically no discussion). Agreed to, with certain amendments.

6. Mohiuddin Ahmed. AL. 3.4.57. 'This Assembly is of opinion that the Government of East Pakistan should represent to the Government of Pakistan for taking suitable steps for providing full Regional autonomy for East Pakistan leaving the following subjects only to be the concern of the Centre:

- (1) Currency
- (2) Foreign Affairs, and
- (3) Defence.

Put and agreed.



## APPENDIX XII

Note on sources of biographical data on members.

1. Questionnaires: The response from members to questionnaires sent by the present writer in August 1967, was extremely disappointing.

At the time of the last session of the first assembly in September 1953, there were 137 sitting members. In September 1958 when the last session of the second assembly drew to a close, there were 305 sitting members in the House.<sup>1</sup> It was found from staff of the assembly secretariat that a total of at least about 65 were known to have died and about 10 to have migrated, over the years. Also in some cases the address of members as published in the Alphabetical Lists,<sup>2</sup> which was the only source to go by, was considered insufficient for postal communication. Accordingly, the following numbers of questionnaires were sent by post and some, in Dacca, delivered by hand (mostly in August 1967 and a few in March-April, 1969) to:

a. members only of first assembly	- 62
b. members belonging to both first and second assembly	- 13
c. members only of second assembly	- <u>243</u>
Total	318

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1. The last alphabetical list available is of May 31, 1958, which shows 307 sitting members. The death of a member on September 20, 1958, was reported in the press. The deputy-speaker died on September 25.

2. The Lists gave permanent address of all as well as the local, i.e. Dacca address of some members.

The following numbers, respectively were received back duly completed:

a.	9
b.	3
c.	35
Total	47

A further total of 17 were returned undelivered or incompleted.<sup>1</sup> It is suggested that the poor response to the questionnaires was partly due to the possible change of address or death - in the case of one set of ex-members (first assembly), over 14 years and in case of another (second assembly), 9 years. However, there seems to be no better or surer way than that which has been followed.

The questionnaires asked from members mainly the following information:

age, education and professional qualification, primary occupation and income range, subsidiary occupation if any, land-holding, vocation of father, first interest in a political career, party affiliation before and after independence, any change in party affiliation during membership of legislature, if holding any office in party organisation, if and how contact was maintained with parties when the legislature was in session and not in session, if contested election as independent candidate and why, whether any preparations made for speeches delivered in the assembly, etc.

The disappointingly meagre response from members makes

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1. Twelve because the addressees were not found in the address given, 4 because the members had died and 1 informed his inability to fill in the questionnaire as he was almost blind.

this source of very little value for any worthwhile conclusions.<sup>1</sup>

2. Directories of the assembly: Three directories are available, of which two include brief life sketches of members. The Directory of the Provincial Assembly, East Pakistan, 1957, gives life sketches of only 71 and that for 1958 of only 3 more, members of the second assembly. The official requirement was that the life-sketches supplied by the members themselves were to be within 10 and 15 lines in print. Usually, these sketches were found to include data on age, education, profession and such other information as the members thought important or essential.

3. Biographical encyclopaedia : Biographical Encyclopaedia of Pakistan, 1955-56 and 1960-1 (published by Biographical Research Institute, Pakistan for International Publishers (Pakistan) Ltd., Lahore) were consulted. Data, mostly on age, education and occupation, were found for 56 who were members of legislature during 1947-58. The representative character of the data obtained from the encyclopaedia, however, is somewhat undermined because of the nature of such project.

4. Miscellaneous sources: These include the following,

(1) The Indian and Pakistan Year Book and Who's Who, 1948, 1949, 1951 (published by the Times of India Press, Bombay) include biographical data on 6 members.

(2) Short Life Sketches of Members of the East Pakistan Assembly (1962-65) - from a total of 106 life-sketches, 8 were

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1. It had been hoped that perhaps a comparison in socio-political background between members of the 1947-58 period and of those elected under the 1962 constitution (provincial assembly of 155 members elected in 1962 and 1965) could be attempted. Nearly 240 questionnaires were sent out. Response from only 30 members rules out any comparison in these lines.

of those who were also members of legislature during 1947-58. Similarly, Short Life Sketches of M.P.A.s, 1968, from a total of 103, provide data on 6, who were also members in the earlier period.

(3) Twenty Years of Pakistan, 1947-67 (Karachi: Pakistan Publications, 1967) include life-sketches of members of central and provincial cabinets and the National Assembly at the time of publication. Ten were members of legislature during 1947-58.

(4) The occasional information on members' educational qualification or profession obtained from Alphabetical Lists and Assembly Proceedings.

The over-all total number of members on whom data was collected is less than the total of figures shown above under the different sources, because of duplication in case of some members. As data was collected from a variety of sources, the kind of data is also not always uniform. Therefore, the number of respondents will vary according to the kind of data. Each Table in the text will indicate the number of respondents on that particular data.

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